A

HISTORY

OF

Land Tenure in England

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PREFACE TO THE FIRST EDITION

THE following chapters formed the first part of a thesis which I submitted for the Doctorate of Philosophy in 1910. I have left them unpublished till they are slightly out of date in certain parts. But even now when sending them to the press, I feel that an apology is needed not for keeping them back so long, but for deciding at last to see them in print.

I cannot fully justify my action in this matter. But I shall state what led me to write on the agrarian system of a distant land, when there was an extensive field for similar labours at home. It appeared to me that exclusive importance was being attached by our scholars to the history of our own institutions. The study of these is, no doubt, very valuable, for our past lives in us and claims its share in moulding our destiny. Still it must be admitted that we have left our old moorings, and that new forces, social, economic and political, are at work among us today. For wise guidance, therefore, we have to turn to the history of those countries in which they had full play. It was at any rate with a conviction like this that I carefully studied the land systems among other economic institutions of England, France, Germany and Russia ; and the thesis, which I have referred to, was the outcome of my labours in this direction.

The subject has received exhaustive treatment at the hands of a number of European scholars.

And I feel also that my review lacks the freshness and directness of first-hand knowledge. But it was written from the standpoint of an Indian and with an eye on the present needs and aspirations of India. Hence it is not over-burdened with details, though it may appear over-burdened with observations on the merits and demerits of different types of property in land.

I have been able to make some additions and alterations in the course of the last two months. I wish I could do more to improve the quality of the work before exposing it to the criticism of the reading public, which may not be quite as indulgent as my examiners were. But my present duties will not permit me to do that. I must regret, however, that it has to go out without many of the notes which originally accompanied it and which have since been lost.

I have drawn largely on literature in the narrower sense for illustrating my points. But for obvious reasons, I have given only translations of passages from Old English and Norman French works.

My best thanks are due to the publishers for materially assisting me in the correction of proof-sheets, though I notice that the orthodox spelling has not been uniformly adopted in the case of two or three words.

MYMENSINGH,
September 16, 1921. JAJNESWAR GHOSH

PREFACE TO THE SECOND EDITION

In the present edition a new chapter has been added which deals with the manner in which recent events have affected the agricultural outlook and conditions in England. A certain amount of additional information has also been furnished in the appendices. And a few sentences have been rewritten in the first and second chapters to avoid vagueness and to remove inaccuracies.

In presenting the book once more to the notice of the reading public, I have to express my gratitude to Sir Paul Vinogradoff and Mr. Reginald Lennard for a number of valuable suggestions and references. I am also obliged to Dr. Gilbert Slater for thinking that a book like mine cannot be unprofitable study for my countrymen. I hold with him and with the critic in the *Pioneer* and against the learned reviewer in the *Calcutta Review* that "there are many points of contact between the past conditions of British land tenure and the agrarian problems of present day India." To ignore them would be to court the danger of contracted views, for they are likely to bring out what we have to expect from our present institutions and what we must try to avoid. Besides, it should not be forgotten that landlordism, as we have it in Bengal, was introduced in imitation of the English system.

For assistance in revising the proof, I am indebted to my colleague, Prof. S. K. Chakravartty.

MYMENSINGH, J. GHOSH
November, 1923.

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CHAPTER I

COMMUNISM

I start with the theory of Seebohm that in rural England the course of evolution has been from a state of galling servitude for the masses to one in which they enjoy considerable economic and political freedom. It is a definite position which may be maintained or given up according as the evidence in support of it is adequate or otherwise. The object, however, of the present work is not simply to direct attention once more to the facts and arguments on which he based his conclusion. It aims at interpreting the agrarian history of England with a view to pronounce on the relative merits of different types of property in land. And Seebohm's generalisation is noticed at the outset because it furnishes a convenient view-point from which to observe the confusing mass of details. It will be my working hypothesis which I may have to reject at last, but which will in the meantime give order and directness to my enquiry.

There is no lack of materials for the economic history of England from the thirteenth century to the

present day. But statistics speak with no certain voice beyond this period. And when the student gets into the twilight of the age which intervened between the Saxon settlement and the Norman conquest, he feels that the fragmentary evidence before him leaves ample room for difference of opinion. It is this age which forms the battle-ground for the controversy which was started by Seebohm. He maintained that the thirteenth century type of agrarian arrangement which is known as the manorial organisation existed without any material difference even in the days of the Heptarchy, and that in this remote age, as in the later and better known epoch, the cultivators were rooted to the soil and subject to certain other restraints which made their status indistinguishable from that of bondsmen. There were others, however, who were equally positive in their assertion that the manorial organisation was a subsequent and by no means legitimate development of the mark system, which had in the early days of the Saxon settlement assured to the tillers of the soil a considerable measure of independence as members of small self-governing communities.

As reproduced in Britain, the mark was usually a small settlement of ten or fifteen families devoted mainly, but not exclusively, to agriculture. The site that was selected for it showed that isolation and economic independence were dear to the heart of the settlers. They erected their houses as a rule in the

vicinity of a wood or a stream and at a distance from the Roman roads and towns, that were allowed to fall into decay. The materials for their dwellings were readily obtained from neighbouring jungles, and the construction was rude. But to each of them was attached a more or less spacious toft or yard, part of which was planted with culinary vegetables and savoury herbs. Not far from these messuages was a wide stretch of arable land, and beyond it was a ring of scrub and forest that obstructed traffic and screened the little settlement from the outer world.

The economic relations of the mark with the world outside were few and occasional. The markmen sought to produce by their own labour all that they required in the way of necessaries and comforts. Food grains came from their corn fields, and the few vegetables that were known to them, they grew in the yards attached to their houses. The waste, on which their domestic animals grazed, supplied them also with building materials, fire-wood, honey and a few wild food stuffs. They kept cows, oxen, sheep and large numbers of swine. They prepared their drink from barley, which was a favourite crop on this account. The hides of the animals which they slaughtered served as blankets and bed sheets and were also shaped into shoes and drinking jugs. The wool of their sheep was carded and spun by their women and then woven on the hand into the coarsest stuff. The only thing that of a certainty they acquired by means of exchange was salt. A

few other things might have been occasionally obtained from pedlars and packmen ; but they were, generally speaking, averse to trade, and the yield of their fields was so poor that, except in the case of important men, it barely sufficed for their sustenance.

So much is beyond controversy. All else that may be said about the mark is either open to question or is based on evidence the value of which is not at once recognized. But on one point more there is a consensus of opinion, *viz.*, that the composition and size of the holdings of peasants and the mode of cultivation that obtained on them remained materially unaltered in the long years that intervened between the Saxon conquest and the disruption of the manorial organisation. The evidence in favour of this view is not quite as full as one would desire ; but it is sufficiently cogent to establish unanimity between the champions of the rival theories. Their difference begins after this, when they come to discuss the status of the cultivators and their relations to non-cultivating classes before the Norman conquest. So before I proceed further, I shall survey the common ground which they occupy. And in doing so I shall notice all the details that were found in the later and better known system of husbandry. Some of them might have been absent from the primitive economy of the Saxons. But the salient features were there ; and owing to the silence of early English writers on the subject, it is difficult to hit upon a just principle of selection. So the entire

picture with all its minutiæ is more likely to give a correct impression than any arbitrary simplification of it by the omission of a few details.

A noticeable feature of the agrarian arrangements was the division in most cases of the arable area into three huge fields of equal extent. They were more or less rectangular in shape and were separated from one another by broad, grassy mounds. The reason for such a division lay in the dearly purchased experience that under the system of tillage which was in vogue, the land failed to grow the same crop for a succession of years. Thus in any particular year one of them would be under wheat and another under barley or rye or oats while the third would lie fallow. A necessary consequence of such an arrangement was that every family had land in each of the three fields, as otherwise it would have been periodically dependent for subsistence on its neighbours. The normal holdings were also on this account large as compared with the possessions of peasants in most modern countries. There was, however, an additional reason for it. The Saxons were indifferent husbandmen, and the yield of their fields was small ; so more land was required for the maintenance of a family than would have been necessary with a better method of cultivation.

There was another feature besides its size which distinguished the holding of the Saxon settler. It was not a compact plot like a modern farm, but consisted of small strips of equal area which lay intermingled

with similar bits of land belonging to other holdings. To facilitate such a distribution, each of the three fields referred to above was divided in the first instance into rectangular plots which afterwards came to be known as furlongs, because their length coincided with that of the furrow which was, generally speaking, 220 yards. And each furlong was in its turn cut up lengthwise into a number of narrow and parallel strips, which formed so to say the units of allotment. They were approached by headlands that lay at right angles to them and served to mark the place where the plough should turn. Contiguous plots were at the same time marked off from one another by thin lines of turf, so that they were as well-defined as hedgeless fields could be.

This minute division and subdivision of the arable area and the complete demarcation of every plot in it point, of course, to private appropriation of the land. But such an appropriation offers no sufficient explanation of the curious composition of the holdings. The determining motive for this peculiar arrangement, it has been said, was the desire to give to each member of the community not only an equal share of the village land but also an equal extent of every quality of land that it possessed. It is open to question, however, whether such a theoretic equality was ever aimed at in the English settlements. At any rate, the equality of the strips and the absence of compactness in the holdings can not be taken as a conclusive proof of it, for they

were in evidence at a later time, when there was considerable inequality in respect of rights and possessions. The genesis of these features may probably with better reason be sought in the ignorance of the settlers than in their sense of justice. They had certainly little knowledge of land surveying, and some amount of proficiency in it was required for laying out with any measure of accuracy the different shares of the villagers in an extensive field of more or less irregular configuration. So as their new acquisition was cleared and broken up by the plough, it was dealt out acre by acre to each agriculturist, and when the turn came of an important man, two or more plots were assigned to him for every plot allotted to his humbler neighbours. Besides, it is safe to assume that the arable area was only gradually extended, and that when fresh land was taken up, there was a fresh apportionment, so that after the work of reclamation was over, the holding of each family came necessarily to consist of a number of detached plots in different parts of the field. It is quite likely, however, that this primitive method of apportionment was continued, because it had the additional merit of giving to every householder a fair share of the good as well as the bad land.

But while private property in the furlongs was thus recognised and defined by means of an elaborate arrangement, the appropriation was in no instance complete, for any departure from the pres-

cribed routine of tillage was strictly forbidden in the interests of the community. All the strips in any particular flat had to be devoted to the same cereal in the same season, and no one might alter the rotation or enclose his plots with a view to try new methods or new crops. The hedgeless fields were, no doubt, fenced in to protect them from pasturing animals so long as they were under tillage. But the temporary enclosures had to be removed as soon as harvesting was over, so that the cattle and the sheep might graze freely in the stubble till the next sowing season. It is true that these restraints could not have been felt as galling at the time. In fact, they were almost necessary conditions of successful husbandry among a people who had not completely outgrown the pastoral stage. But none the less did they limit the right of user in so far as submission to them was not a matter of free choice with the cultivators. And probably there was as little of free choice or voluntary association in their manner of ploughing all the strips together, for the holding of each of them lay so wedged in among other people's lands as to render any separate treatment of it out of the question.

In villages situated near a stream there was generally a permanent meadow reserved for the hay harvest. Owing to the absence of fodder crops, the hay was the only winter feed for cattle, and well-watered land on which it could be grown was everywhere limited in area. The meadow was, therefore,

almost as valuable a possession as the arable area, and, according to some historians, it was similarly divided into strips and appropriated. But probably individual property in these strips was even less complete than in the plots in the arable mark. Sir Frederick Pollock has pointed out that at a much later period the hay harvest was frequently apportioned by lot among the tenants. At the same time it has been confidently asserted by some students of early English history that the meadow was cut up like the corn fields. The divergent views may be reconciled by assuming that each householder had his strip or strips allotted to him only for a season and that the allotment took place when the hay crop was ready to cut. This practice, says Dr. Cunningham, obtained at a very early period, though it was at variance with the principle of private property illustrated in the holdings in the arable mark.

There were thus in this primitive community various types of property in land. The messuage belonging to each family was a permanent possession ; but its hold on its corn fields was much less complete, being limited by the interests, real or supposed, of other families. And still more shadowy was its claim to any part of the meadow, as it did not go beyond the right to appropriate a certain proportion of the crop so long as such appropriation was consistent with the claims of other households. The communistic principle was, therefore, operative,

though in different degrees, in determining the character of these two kinds of property. And it was completely triumphant in the case of the waste, for no kind of individual property was allowed in it, though it might have been regarded as a reserve fund to meet at some future time by means of appropriation the needs of an increasing population.

It follows from what has been just said that I must take the community or mark as a whole instead of individual cultivators in studying the agrarian phenomena of this period. And the questions that have to be answered at this stage are:—Was the title of the community to its possessions a form of tenant right, and if it was, did the consideration for it deprive the cultivators of all pretensions to freedom? Seebohm contends that the mark was from the very first a community in serfdom under a manorial lordship. And in support of his position he lays stress on the argument that the integrity of the holdings could be maintained only on the principle that each lot was an unit neither to be partitioned nor tagged on to other lots. This principle, he observes, ran counter to the German law of succession, which permitted the equal partition of free land among heirs. As, therefore, the arrangement was not the outcome of Teutonic custom, he would trace it to Roman influence. All the essential features of a mediæval manor, we are told, had already existed in the Roman villa. There had been the same clustering of the dependent

population round the lord's demesne as the centre and the same inability on the part of the former of doing what it liked with its holdings. This similarity was, in his opinion, not a mere accident, but the result of the adoption of the Roman system by the Saxons and its continuance under Norman rule. He goes, in fact, a step farther and asserts that the often-field system and intermixed ownership, the outstanding characteristics of the economy of the mark, were really Pre-Roman institutions of Celtic origin, which imperial rule had only slightly modified by introducing the three-course rotation of crops. He discovers thus an unity in the agrarian history of England, strangely at variance with her political experiences.

His way of sifting the historical evidence is, no doubt, a lesson in method. He starts with an examination of the Winslow manor rolls and finds therefrom that the arable area was divided into the home farm of the lord and the land in villeinage. The latter was in the occupation of a number of cultivators who held "at the will of the lord and at customary services". Many of them had 30 to 40 acres of land consisting of half-acre strips scattered all over the open fields. A holding of this type was called a virgata or virgate or yardland. There were others who possessed only half as many strips, and a few whose holdings were very small. But the tenure of all was alike in character and indicated, according to Seebohm, complete subordination to the master.

He next turns to the Hundred Rolls of the reign of Edward I and satisfies himself after a careful scrutiny that all the manors in a considerable part of the country were of the Winslow type, so far as their economic features were concerned.

Then he addresses himself to the problem of determining the status of the holders of virgates and half-virgates, and comes to the conclusion that though they enjoyed certain valuable rights, they had in other matters the characteristic marks of servitude. They were tied to the soil. They could not marry or give away their daughters in marriage without the lord's consent, for which a price had to be paid. They had to pay a fine called heriot on succession to their ancestral property. And when they wanted to transfer it, there had to be an antecedent surrender to the lord, who regranted it to the transferee to be held by him again in villeinage. Even when the transfer was due to the death of the possessor, the procedure was the same, for the holding was supposed to have reverted to the master after his demise. Moreover, the restraint was not confined to immovable property, for if a cultivator sold an ox without permission, he was fined. These were hard conditions, no doubt, and they seem to justify Seebohm's contention that the open-field system, as described in the Hundred Rolls, was the shell of serfdom.

He next attacks the Domesday records, and, after examining the detailed statistics for Middlesex

and collating the available evidence with the facts recorded in the Liber Niger, arrives at the conclusion that the manor was at the time of the survey and in the days of Edward the Confessor a lord's estate with a village community in villeinage upon it. It was, he observes further, exactly like the manor in the days of Edward I. There were the same division of the arable area into lord's demesne and land in villeinage, the same equality of holdings of cultivators of each grade and the same intermixture of strips belonging to different holdings. But how far back can these arrangements be traced? Seebohm finds a definite answer to the question in the Rectitudines Singularum Personarum and some other Saxon documents. His finding is that in the days of King Ine there were in West-Saxon manors the thane's land and the geneat land or gesettes land as it was otherwise called, which corresponded respectively to the home-farm and the land in villeinage of Norman times. The geneat land was in the occupation of two classes of cultivators known as geburs who held yard-lands and cottars whose holdings were smaller. But each holding, whatever its size might be, consisted as in the later epoch of a number of small strips scattered all over the open field. And the services which the geburs and cottars were expected to render were very similar to those which afterwards came to be demanded from villeins and smaller tenants. So there was no material difference between the agrarian arrangements in the

days of King Ine and those which were in evidence under Norman rule. But his dooms, which belong to the latter half of the seventh century, represent what was already settled custom in Wessex. Seebohm concludes, therefore, that the status of the Saxon cultivators in the early days of the settlement was not very different from that of the villeins of the post-Domesday period, who had no rights against their masters in the eye of the law.

Seebohm is on solid ground so long as he is selecting economic phenomena relevant to the question at issue. But his position is not quite so sure when he is engaged in interpreting them. I shall notice some of the weak links in the chain of his argument before setting forth the views of his antagonists. He refers, indeed, to the rights of the villeins of the thirteenth century, but does not attach due weight to them. Their holdings were hereditary, though there was the form of a regrant from the master when the property passed from father to son. They had even the right of testamentary disposition of what belonged to them. And as in the case of owners of freeholds, their widows were allowed dower* and widowers could be tenants by the courtesy. The services, again, which they owed to

* The records of a later time show that it was the practice in most manors to allow the widow to retain possession of her deceased husband's lands for a year and a day. If she failed to find a husband for herself within the period, she had to pay a fee for permission to live in single blessedness. The

their lord were limited and well-defined, and even the heriot was a definite amount, which was often reduced but never increased. Their hold over their property was, therefore, stronger and more satisfactory than that of many classes of tenants in these days.

Seebohm enumerates certain characteristic marks of servitude in their tenure and personal condition. But the right to hold and dispose of property was an equally unmistakeable mark of freedom. He would, indeed, ascribe the permanence of their tenure and the definiteness of their obligations to custom. And here his standpoint is the standpoint of the Norman lawyers. But the truth seems to be that the villeins had originally certain clear rights and responsibilities, though French jurists, familiar with the traditions of the Roman nativi, refused to recognize them. Seebohm, however, can not ignore them completely, and so he tries to explain them away by referring to the fact that "sometimes the relaxed rein was tightened to test the obedience of the villeins and trivial orders were issued,—such as that they should go to the woods and pick nuts for their lord." Orders, however, of this kind were obviously

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following extract from the Launton Court Rolls shows the operation of the rule :—

.........gives 12d. to the lord that she may live without a husband until the next court after Easter..............gives to the lord 18d. that she may be without a husband to the end of her life—Launton Court Rolls.

dictated by the arrogance of a ruling caste, that took advantage of its military ascendancy to insult now and then the feelings of a conquered race.

The conditions under which the villeins lived and worked were, no doubt, some of them very galling. Chief among them were the restraint imposed on their movements and the control exercised over their domestic relations. But it may be that they owed their origin to a primitive socialistic organisation, which limited individual freedom in the interests of all. Such a limitation existed in respect of husbandry in the open-field, and even the lord, so far as he was the owner of scattered strips,* was subject to it. And it is not unreasonable to suppose that under a communistic regime based on kinship, the control extended beyond the economic sphere into the domain of social relations and domestic morals. Many of the early English settlements were mæg-burgs, as is proved by the names of hundreds of villages and towns in England. It is quite conceivable that in these colonies, the mægtha or group of kindred families had tried to maintain its integrity and purity and to shut out foreign elements by means of regulations which trenched on personal

* In the fifteenth century, the demesne consisted partly of scattered strips and partly of separate closes. But Prof. Ashley thinks that at first the lord's portion consisted entirely of half-acre fields like those of the villeins with possibly a larger farm-yard than theirs around his house.

freedom,* and that subsequently when the mægtha came under the domination of a hlaford or lord, these regulations were converted into sources of revenue. On this supposition, the open-field system and all that went with it formed originally the shell of communism and not of serfdom.

There are certain interesting facts which seem to countenance this view. The villeins often held as free tenants portions of the lord's demesne and of terra assarta (newly reclaimed land), while sokmen sometimes held virgates or half-virgates in villeinage. It follows, therefore, that servitude was the badge not of a particular class of men, but of a particular class of holding, that whoever held land within a certain area had to put up with certain limitations to his personal freedom, or in other words, that serf-land created serfs. But this serf-land was the open-field, where the composition of the holdings and the character of the husbandry were alike illustrative of communistic principles. So some of the restraints

* The nature of the control exercised by the customary courts of the thirteenth century justifies such a supposition. They fixed the prices of foodstuffs in the interests of the community, granted licenses to young men and women to take service outside the village, permitted parents, when they thought fit, to apprentice their children to trades, settled the time when widows should remarry and fixed the fee to be exacted from a parent for permission to marry his daughter. Notice also that the ved-fee was invariably higher when the daughter was married outside the village.

which are regarded as constituting servitude may have been originally imposed on each member of the mægtha in the real or fancied interests of all.

Very significant in this connection are the manorial rules which fastened the responsibility for the misconduct or neglect of duty of individual cultivators on the jury or whole body of villeins, if it failed to take due cognisance of the offence or delinquency.* The jury was fined if it did not report cases of waste or damage or did not take steps for the apprehension of fugitive villeins or connived at the wickedness of women belonging to its class. And it stood surety for the proper payment of the labour dues by individual cultivators. It was the attempt made to enforce this joint responsibility for the obligations of each at a time when its enforcement was manifestly unjust that was one of the causes of the Peasants' Rebellion. Many of the peasants had died of the Plague ; their lands lay untilled, and yet the masters persisted in some cases in demanding the total amount of services due by the community. Had the peasants been in the position of the Roman servi, there could be no pretext for this transference

* The responsibility of the jury went even farther than this, as is shown by the following rule which is taken from the Launton Court Rolls :—

The tenant to repair the roof of his cottage, and should he neglect to do this, the homage was to repair the roof and to distrain for the amount.

of liability to the survivors. The truth seems to be that each cultivator originally owed certain duties and services to the community, and that when the master usurped its place, it was kept alive to ensure the proper performance of these obligations for his benefit.

Seebohm sets store by the observation of the Domesday surveyors that the liberi homines and the sokmen were most numerous in the shires that were most completely under Danish influence. But he does not show that village communities of the Teutonic type were established there or that the economic and political forces that brought about the degradation of the earlier settlements were at work in them for a sufficient length of time. His examination of the Rectitudines leads him to conclude that the services received by the thane from his geburs were very similar to those which were rendered by the villeins of post-Domesday times. But the geburs whose obligations were so onerous were new settlers on unoccupied land, and they had each received as their stuhl (outfit) two oxen, one cow, six sheep and seven acres sown besides tools and utensils. Those who were so heavily indebted to their landlords could not reasonably expect easier terms, nor could they complain if everything that had been given to them reverted in theory to their masters on their death. It does not follow, however, that the village communities which took up land at the same time as the thane were subject to the same hard

conditions as these late settlers on subsequently reclaimed land.

Economic subordination of the cultivators, there probably was during a considerable portion of the Saxon period. But the point is, whether it was so complete or so associated with political disabilities as to be indistinguishable from bondage. The geneat-land was also called gafol-land, evidently because it was held on condition of paying gafol. This was the first and most important consideration, though subsequently the geneat was saddled with other obligations, just as the trinoda necessitas was the consideration for a thane's estate, though he was also expected to serve the lord in certain other ways. The tenure of the geneat was, therefore, distinguished from that of the thane only by being of a non-military character. And the gafol which was received from him was as much a land-tax due to the administrator for protection and other services as rent payable to a landlord for the use of his land. Probably it had its origin in the old customary payment to the chief by every freeman of a portion of the yield of his fields or of the increase of his cattle. Tacitus says that though in form it was a graceful acknowledgment of the lord's authority, it enabled him to carry on the work of government. The gafol, it may be assumed, was this voluntary contribution transformed into an unavoidable tax. That it was sometimes paid in the form of services makes no difference. This mode of discharging their obliga-

tion might have been preferred, because the cultivators had more of spare time than of spare corn or spare cattle to pay with.

Seebohm says that the three-field system and the rotation of crops which it implied were unknown in the sand and bog tracts of Northern Germany from which the invaders came, while they existed in Roman districts. His argument is that the Saxons adopted soon after their settlement in the island the Roman method of tillage and along with it the Roman system of land tenure. But apart from the fact that the three-field system was not universal in England at this remote period, it is too much to assume that an improvement in husbandry could not be adopted without at the same time adopting a radically different but by no means necessary system of land holding, the effect of which could only be a degradation of the majority of freemen. It will be presently shewn that up to the time of the migration at least, they had preserved in the main their old independence, though they had lost some of their old importance owing to the growing dependence of their chiefs on a class of professional warriors. This freedom they did ultimately forfeit in a great measure. But it is inconceivable that their victory proved at once their ruin and converted them more easily than it did the conquered Celts into submissive slaves.

There are, in fact, a number of passages in Anglo-Saxon literature that show that the ceorls or churls continued to occupy a respectable place in

society in their new home. I quote below a few from a modern rendering of the Battle of Maldon to illustrate my point. Take the passage in which the messenger from the Danish host offers to Byrhtnoth the choice of conciliation by payment of tribute or war.

> If so thou orderest it, who here among the rest are chief
> That thou wilt *set thy people free*, then bid for their relief
> That they shall to the seamen give as seamen shall decree
> Treasure for peace ; then take ye peace, and we will put to sea.

It is certainly not the freedom of serfs for which the price is demanded, nor is it on behalf of men so degraded as to have no voice in the commonwealth that the ealdorman utters his proud reply—

> What saith *this folk*! To you they give no tribute but the spear,
>
> * * *
>
> here, an Earl, I stay
> Undaunted with my men to guard the kingdom. *folk* and land
> Of Æthelred my lord.

Or take the noble line in which the fiery onset is described,—

> Thus of one mind went earl to *churl*—alike their fell intent,

They advance shoulder to shoulder without loss of

prestige on the one side or the offence of presumption on the other to fight for the common cause. And when all seems to be lost, the ceorls make one grand effort to retrieve the fortunes of the day at the instance of a comrade, whose words are certainly not the words of a man who has no rights in the land,—

> Dunhere (an aged churl was he) then spoke and shook his dart ;
> Each warrior to revenge the Earl he bade, and loud o'er all,
> "Let him", he cried, "who on the foe would wreak his leader's fall
> Brook no delay, nor care for life!"...........
> And onward went they then...................
> Regardless of their lives they went...........
> Fiercely the household men.

The poem was written in the period of which I am speaking,* and so the words which are put in the mouth of the warriors can not be taken as giving an idealized account of the status of the ceorls.

Prof. Ashley observes that Seebohm's theory is based on the assumption that the Saxon invaders spared the conquered Celts and even left intact their rural organisation. His position then is that the new-comers profited by what they found in the island.

* Rieger observes that the poem was written almost immediately after the battle (991 A.D.), for the poet does not know the name of a single leader of the enemy, and in the character of eye-witness, describes only such of the movements of the Danish host as could be discerned from the English line.

Roman estates, with their elaborate arrangements for carrying on the business of tillage, passed, indeed, from one lord to another,—but that was all. The tillers themselves, the ceorls of Saxon times, were not a new race of men, but the descendants of the Roman coloni and nativi who had been in complete economic dependence even under imperial rule though some of them might have been personally free. But this view runs counter to the almost unanimous verdict of historians that the Saxon occupation of the island made a clean sweep of all such institutions and customs as had owed their origin to the domination of Rome. And an impartial study of what is known as the Saxon period leaves little room for doubting the correctness of this verdict. The barbarians did not aspire after political sovereignty over a conquered race, nor did they require obsequious slaves to minister to their wants. It was the pressure of population that had driven them from their homes ; and what they wanted was land to settle on. So they cleared the country by the forcible dispossession of the natives in certain cases and by their wholesale massacre in others. The victory at Aylesford and the event which followed it struck the keynote of the English conquest of Britain. For a hundred and fifty years the martial energy of the new-comers was employed in a cruel war of extermination, which was the prelude to a resettlement of the country. The elaborate system of government which the Romans had

introduced, like the exalted faith which they had taught, perished with the vanquished Celts. Even their language left no lasting impress on the dialects of the invaders. The country was, in fact, peopled anew by a race which, rude as it was, clung obstinately to its customs, manners and institutions.

It is not strange, therefore, that eminent scholars like Kemble, Freeman and Stubbs refuse to subscribe to Seebohm's theory of agrarian evolution. Freeman accounts for the Teutonic bias which he finds in English history by a reference to the wholesale destruction of the Romanized Celts in the east and the reduction to utter insignificance of the survivors in the west. And Kemble emphatically states that the mark, as originally established in England, was an association of free proprietors, and that landlordism was only a late growth in the country. But the best exponent of the Germanist school is Prof. Vinogradoff. He can not bring himself to believe that the Saxon occupation, like the Norman conquest, introduced only a class of privileged men, to whom the bulk of the population was subordinated in every respect. Freedom, he says, was "an important constituent element in the historical process which gave birth to villeinage" ; and the relations that are summed up in the comprehensive term, serfdom, usurped, in his opinion, the field of freedom only when such an usurpation was rendered possible by social competition and the increase of numbers.

The facts and arguments on which he relies for making out a case merit a careful study. A conspectus, however, is all that can be attempted here. But I hope that it will give a fair idea of the strength of his position. He observes that the communal character of the open-field system, which existed even in the fifteenth century, could not have originated with the landlord and must have been maintained in spite of the coercive authority vested in him. The arrangement lasted for about a thousand years, and traces of it were by no means rare even in the eighteenth century. But the proprietors could not for ages have been blind to its drawbacks, and they had no interest in perpetuating a system which seriously hampered industry. In fact, the economic disadvantages of the intermixture of strips were realised by them early enough ; and it was not resorted to when the demesne farms were broken up or newly reclaimed land was leased out. How was it then that it stubbornly held its ground all through the Middle Ages and survived far into modern times? Vinogradoff's answer is, that though under the open-field system, husbandry could not be very energetic and paying, yet it was adhered to because it secured a fair distribution of the communal land among all members of the community.

He next draws attention to the rules which defined the mode of tillage and the right of pasturing and were observed down to the close of the thirteenth century, and he says that they point dis-

tinctly to the communal origin of property in land. The compulsory rotation of crops, like the intermixture of strips, must have obstructed the adoption of more efficient modes of cultivation. And yet even the landlords had to conform to it ; and attempts at innovation were met by remonstrance and sometimes by overt resistance. Lastly he refers to the political privileges enjoyed by the villeins, which, in his opinion, must be regarded in the light of survivals from a period when they owned no masters. Even in the worst days of the Norman rule, they were deemed worthy of their were and wite and were summoned like freemen to the halimote to serve as jurors. And for police administration, they were grouped under an institution, the very name of which (frank pledge) indicated, as Vinogradoff justly observes, that they were still treated as representatives of a free population.

In his study of social and economic evolution, Vinogradoff proceeds from the known to the unknown and takes his stand on the solid ground of facts recorded in chronicles and important documents of the twelfth and thirteenth centuries. It may be added in support of his theory that the little that is known of Saxon society points to the absence of Roman influence on it. The ceorl in his "wattle and daub" and the eorl in his oak-rooted hall carry us back to primitive simplicity and lack of refinement. A distinguishing trait of the Saxons was their hatred of cities and love of isolation. Under their

régime, the importance of towns like York and Lincoln steadily declined, the roads and bridges which had opened up the country to trade were allowed to fall into decay and the boundary marks of the Roman latifundia were in some cases wantonly destroyed. The village community of the sixth and seventh centuries had hardly any intercourse with the outside world, which was to it a world of foreigners. But this self-sufficiency and jealous insulation were directly opposed to the centralising spirit which had created and maintained the empire of Rome. Thus both in their likings and dislikes, the victorious nation showed a scrupulous rejection of the traditions of the civilization that they had overthrown. The new rulers disdained even to profit by the elaborate fiscal policy of the Romans, which had supported their expensive government. A system of regular taxation did not, so far as is known, find a place in the primitive arrangements of Teutonic England. It is open to serious question under the circumstances whether the proud barbarians, who held studiously aloof from the conquered and despised race, could have borrowed from it an agrarian system that was bound to exercise a far-reaching influence on their political and social life.

But the problem yet remains to be solved,—how the mark system with its democratic character lent itself subsequently to the concentration of property in the hands of an aristocratic class. And it is of considerable importance to one who attempts to study

the specific phase of economic development which is summed up in the evolution of different types of property in land. At the same time a satisfactory solution can not be obtained without an excursion beyond the apparent limits of my enquiry. For the early English historians did not take the trouble to describe social and economic arrangements, and their chronicle is a dry record of victories won over the degenerate Celts and the reverses sustained at the hands of the Vikings with a few observations here and there that bear upon the present subject. Even these, however, can not be clearly understood except in the light of the fuller information supplied by foreign writers, who knew the people in their original homes, and in whose writings may be discerned the faint beginnings of some of those customs and institutions which subsequently acquired definiteness of form and a far-reaching influence over the life of the community.

Of these authors, the most notable are Cæsar and Tacitus. But their writings have not been largely drawn upon in text-books on the subject, though capital has been often made of a passage in the Germania, which has been understood by some to imply a periodical redistribution of a definite arable area, while others have taken it as indicative of temporary occupation and predatory culture. The testimony of Tacitus is certainly of first-rate importance ; but one is likely to get a wrong perspective unless the entire testimony is taken into consider-

ation. He gives us an interesting account of the social organization of the Teutonic tribes and of their life in peace and war ; and in the course of his description he refers briefly to their husbandry and to their method of apportioning the ager among the husbandmen. It was a subject which had not deeply interested him for the simple reason that the extensive cultivation of the tribes compared unfavourably with the careful tillage on the Roman farms. His object in writing the Germania was to hold up before the eyes of his degenerate countrymen the virtues of the unsophisticated Teutons and to caution them at the same time against the vices that are inseparable from barbarism. Hence the social side of the picture is of considerable importance. But it is not without its value for the student of economics, for social organisation and economic phenomena are so closely related that the dearth of detailed information regarding the latter may to a certain extent be remedied by inferences based on our knowledge of the social elements and their relations to one another.

The Germans, says Tacitus, were averse to residence in towns and in contiguous houses. They lived in rude and detached huts in villages environed by unhealthy swamps and trackless forests, with a clearing here and there for purposes of cultivation. They had learnt the art of growing cereals, but intensive cultivation such as is required in vineyards, vegetable gardens and orchards was unknown to

them. And herds and flocks were still their most valuable possessions, though the sheep and the cattle were alike undersized.

A considerable tract of land, sufficient for the needs of all its inhabitants, was taken up by each village. The villagers as a body corporate appropriated it in the first instance and then distributed it among themselves. Due account was taken of the rank of the members at the time of the allotment. And as there was always land to spare, virgin soil was brought under the plough every year, so that there was an annual apportionment of the area devoted to cultivation.

The property of the deceased descended to children, and in their absence it went to brothers, paternal uncles and uncles maternal in the order here given. Testamentary disposition of realty was not known or, if known, was not allowed. It was obligatory on heirs to continue the feuds of parents or kinsmen as well as their friendships. But even blood feuds could be made up, if the offender gave the prescribed number of cattle or sheep to the injured party.

The people were hard drinkers, and in their sober hours they exhibited a ruinous passion for gambling, which sometimes led them to stake even personal liberty on the final throw. If it was lost, they allowed themselves to be sold as slaves to foreign tribes or nations without a demur. The treatment which the tribes accorded to their slaves was

different from what bondsmen received in the Roman world. The yoke was gentle; corporeal punishment was seldom resorted to, and they were not even degraded to the rank of domestic servants, but retained possession of their huts and curtilages so long as they paid the stipulated amount of grain or clothing or cattle to their masters. Tried and loyal servants, again, were sometimes freed even from this liability. Freedmen, however, could never rise to the dignity and importance of those who had been always free. Immunity from economic subordination marked them off from the slaves; but otherwise there was hardly any distinction between the two classes in public and private life.

The freemen on the other hand, could, if they chose, exercise a real controlling influence over state affairs. Their chief was, no doubt, taken on the ground of birth; but the officers who under him maintained order and law in the different cantons and villages were elected in the general assembly, which consisted of all who were entitled to bear arms. The suffrage of these men had also to be taken on important questions like those of war and alliance, and they sat as judges for the trial of grave offences and misdemeanours. They were, however, not particularly eager to exercise the real power which they possessed in the state. They met after repeated summons and sometimes wasted two or three days in useless deliberations before coming to the business in hand.

The Germans displayed a remarkable alacrity when any occasion arose for dealing blows. There was no chance grouping of the soldiers in their squadrons, nor did considerations of efficiency determine the order ; kinship supplied the principle of arrangement, and it was more effective than any other rule could have been. In fact, the chief incentive to courage lay in this composition of their wedge-like battle-line, as a result of which men stood shoulder to shoulder with those who were nearest and dearest to them to fight for the common cause.

The right to bear arms, which constituted full citizenship, was conferred in the assembly of freemen, in which the chief himself or some relative equipped the youthful aspirant with the sword and the spear. If he happened to be a man of remarkable strength and courage, he might be taken into the service of the ruler, for the latter relied more on a chosen band of heroic and well-born young men than on the tribal militia for his safety and greatness. Fighting was their profession, and though the sons of freemen, they considered it no disgrace to be seen in the retinue of the lord. On the other hand, the place of honour in it was highly prized and sought by signal service on the field of battle. It was a reproach for them not to equal their master in valour and an ignominy worse than death to survive him after he had fallen in fight. Such was the nature of their allegiance ; and in return for it they expected to get from their master the mettled

charger, the deadly spear, a lavish outfit and sumptuous feasts. So a large retinue could be maintained only when war and foray supplied the materials for the necessary liberality. When, therefore, there was peace in their own community, these warriors sought service elsewhere on similar terms. They preferred it at any rate to the cultivation of the soil, which could not promise them the glory, which could be won in war and adventure.

The income of the chief was in times of peace derived from amercements and from the annual tribute of corn or cattle paid by every householder. Fines were the most usual form of punishment, and the Germans showed a nice discrimination in the adjustment of the penalty to the offence. Part of the fines went to the informer or the aggrieved party, while the rest was appropriated by the chief.

Such were the Germans in the days of Tacitus. He tells us little directly of the economic organisation of their society. But there is much in what he says that has a bearing on this subject. The first thing to be noticed is that there were four more or less well-defined classes among them. There were first the important officers who under the chief ruled the people committed to their charge and led them forth to fight in the hour of danger. Though originally appointed by the ordinary tribesmen, they enjoyed, from the nature of their duties, a consideration, which they were probably able to bequeath to their children. For it was obviously the interest of

the chief to attach to his house a number of influential families ; and the distaste of the people at large for public duties and political privileges did, it may be assumed, enable him to confine positions of trust and authority to certain households linked to his by the tie of blood or marriage. The second class consisted of the military attendants of the chief, who were in a special sense dependent on him. They were generally men of noble descent, and their profession taught them to look down on humbler and more peaceful folk and on the arts of peace. After them ranked the great body of freemen, who must have formed the bulk of the population. And lowest in the scale were the slaves and the freedmen, whose number could not have been very large in that primitive and poverty-ridden society. The descent from the class of freeman to that of slaves was easy ; improvidence, heavy amercement and the fatal fondness for gambling brought it about in many cases. But freedom once forfeited could never be completely recovered, for though economic subordination could be got rid of under favourable conditions, the old political and social rights of freemen were irrecoverably lost.

There was thus ample room for the crystallisation of society into a number of exclusive castes. But all of them, with the probable exception of the military followers of the chief, were directly interested in agriculture. Agriculture, however, was not the mainstay of the people, for we have it from

Tacitus that cattle and sheep were more highly valued than the annual yield of corn. The tribes had just pased the nomadic stage, and their husbandry was still primitive. So they had to combine the industries of a pastoral and an agricultural society. This was rendered possible by the fact that the country bristled with extensive forests. Their settlements were, therefore, quite unlike modern villages with their permanent corn-fields and well-kept meadows. They were really clusters of rude cabins on the fringes of trackless wilds in which grazed the cattle of the inhabitants, and out of which were taken every year fresh tracts of land for cultivation.

This predatory tillage must have imposed an almost inelastic limit on the size of their villages, for any great increase in dimensions would have necessitated the appropriation of a considerable tract for growing the food of the people. And in that case, the process of taking up land for a season and then letting it go wild could not have been continued for any length of time, as even these barbarians could not afford to have their holdings miles away from their homes. So each village was a settlement of a small number of families, and there are reasons for thinking that these families were not unrelated to one another. The arrangement of the battle-line, in which kinsmen stood side by side in the hour of danger and their joint responsibility in various matters connected with the

administration of justice and punishment of offences would seem to indicate that they lived together in times of peace, so that the village community was, roughly speaking, a community of men, who were knit together by a real or supposed bond of kinship.

The fact that the village as a whole took possession of the land and then periodically re-distributed it shows plainly enough that the organisation was communal, though Tacitus makes it clear at the same time that there was room enough in the organisation for inequality of possessions. As, however, the village communities were small and the bulk of the population must have been ordinary freemen, the inequality, it may be presumed, appeared in the case of one or two men, who possessed some sort of authority over their co-villagers, as well as in the cases of the theows or serfs, who were allowed to occupy small bits of land as their remuneration for the services which they were expected to render; for the historian observes that rank and not productive power was the cause of this difference in possessions. There was thus in all probability a typical holding,—the holding of the ordinary cultivator; and only in a very few instances and on special grounds was a departure from it allowed.

But was there anything in the relation of these agriculturists to their rulers or to any other section of society that might be construed as implying economic subordination? Tacitus remarks in this

connection that "it was the custom to bestow upon the chief unasked and man by man some portion of one's cattle or crops, and that though it was accepted as a compliment, it served his needs." But this payment, however general it might have been, was obviously of the nature of a land-tax and not of rent. And yet there was a kind of landlordism among this primitive people very unlike that with which we are familiar, but which possessed some of the outstanding features of certain modern schemes for improving the character of property in land. The waste, which provided pasture for cattle and sheep, and out of which was taken the land which was to be devoted to husbandry, belonged not to individual cultivators but to the community, which determined what and where their allotments were to be. Thus the community was in a sense, the landlord, and the usufruct alone of the assigned fields belonged to each family within it. The homesteads on the other hand were held in severalty, and there is nothing in the Germania which may suggest that there was a periodical change of possession in their case.

Seebohm sets much store by the fact that the holdings of the villeins were, like those of the Roman coloni, equal and unalterable in size. This unalterability, however, was probably nowhere more fully recognized than among the Germans of the days of Tacitus, whose holdings were, owing to the annual apportionment of the arable area, ideal rather than real. Each of them was, no doubt, en-

titled to a definite portion of the land devoted to husbandry ; but as it was not the same land from year to year, he could not call any particular field his own, much less partition it or tag it on to other lots. The equality, again, of the villein holdings had its parallel in the original rural economy, which permitted inequality of possessions only where there was difference of rank and so prescribed a standard allotment in the case of the ordinary freemen.

The periodical allotment of the ager is said to have been in evidence long after the days of Tacitus* and even when owing to the growth of population, it had become impossible to carve out every year new slices for cultivation from the waste. But the shuffling of the shares on the same area was so very different in character from fresh allotment on fresh land that even to these ignorant tribesmen one of them must have appeared as a needless repetition of a troublesome operation, while the other was obviously a necessary condition of appropriation. The fact seems to be that this periodical distribution was a stage in the evolution of property from its original inchoate form to complete individual ownership. The village

* Letourneau says that in the canton of Glarus in German Switzerland each family still keeps its allotment for a number of years only and that after the expiry of the period fixed by the community, the shares are reformed and drawn for by lot in accordance with ancient custom. In the village of Buchs in the canton of Saint-Gall, no difference is said to be allowed in the possessions of commoners.

community was at first an indivisible unit for most political and industrial purposes ; and the property vested in it was, therefore, held to be inalienable. So when enlightened self-seeking pointed to separate possession, the antagonistic interests of the individual and the community were reconciled by divorcing ownership from possession in the first instance and again by so limiting and defining possession as to prevent it from becoming constructive evidence of ownership. There was, of course, no such analysis of the connotation of property as is implied in these expressions. But when a holding was carved out for any of the villagers out of the general stock, the others must have felt that in order to protect their undefined right to it as to every other part of the arable area, it was necessary to restrict the right of user of the person who received the allotment.

But the communistic principle which underlay their economic organisation as well as the democratic cast of their government was to a certain extent rendered nugatory by the incapacity or want of readiness of the bulk of the free population to take their fair share in the work of administration and by the policy adopted by the chiefs of strengthening their position by retaining in their personal service or as rulers of cantons and villages, a number of bold and trained warriors, whose pride of birth and pride of profession led them to stand aloof from the masses. Thus an aristocratic element was present in Teutonic society, which with the growth of the state was likely

to be dangerous alike to the ruling authority and to popular liberty.

Certain facts mentioned in the Annals of Tacitus are illustrative of the baneful influence exercised on the commonwealth by the ambition or self-interest of this aristocratic class. There are others which go to show that there were inter-tribal wars, whenever the need for concerted action disappeared owing to the absence or inactivity of the Roman legions, and that the motive for these wars as often the desire for plunder as the recognized obligation to keep alive an ancient feud. These wars extended the influence of the professional warriors at the expense of the ordinary freemen, who wee poor fighters as compared with them. For even when success attended their arms, the advantage was often lost owing to their eagerness to secure the booty. At the same time, their undisciplined valour was not proof against reverses, so that when fortune did not favour them, they retired precipitately from the field without any regard for their leaders. They were, therefore, of less account than men who were soldiers by profession ; and every opportunity, it may be assumed, was taken of promoting the latter to positions of control. But there is also ample evidence in the Annals of the independent spirit of the people, who, far from being mere slaves of the nobles, were not always submissive even to those who had every right to command them. Thus the Cherusci preferred Arminius to Segestes, because his counsel

was in keeping with their temper ; but they opposed him when he tried to become their king, though he did more than anybody else to save Germany from the Roman yoke. On another occasion, they deposed Italicus because he governed them with a despot's sternness, though he was backed by the authority of the Roman emperor. And when Marobodus, ruler of the Suevi, tried to check the growing power of the Cherusci, he was deserted by many of his tribesmen, because his title of king was offensive to them, while Arminius was liked as the champion of freedom.

It must, however, he observed that Tacitus's contempt for the spirit that prevailed in the Roman world leads him sometimes to invest the good qualities of the Germans with a glory not their own and even to represent the characteristic marks of barbarism as exalted virtues. For instance, the fondness for liberty, which he discovers in the tribesmen and extols so eloquently, was as often as not a mere lack of the capacity to obey, which is as far removed as anything can be from a rational love of freedom and of all that is implied in it. He himself observes that they were so imperfectly amenable to control that their generals had to depend on the influence of the priests for maintaining order and discipline in the supreme hour of national danger. And yet these men did not hesitate to part with personal liberty in order to satisfy a degrading passion ; and the traffic in slaves was the most

important of their commercial relations with the outside world. The truth seems to be that like other barbarians they had a horror of innovations and a superstitious respect for their traditions good and bad, and that these traits, while protecting them effectually from foreign domination proved sometimes insufficient safeguards against that type of domestic tyranny which left intact the forms of their ancient institutions and customs. Still the detailed account of Tacitus leaves no room for doubting that in his time they were in enjoyment of a large measure of freedom, economic and political.

I now turn to the account which Caesar has left of the Germans. It was written about a hundred and fifty years before the Germania, and it describes an earlier stage in social and economic evolution. The barbarians, says Caesar, were devoted to hunting and warlike exercises. They lived chiefly on milk, cheese and flesh, and their agriculture was most primitive. Their rulers allotted to families 'that herded together' a sufficient extent of land for a year, after which these families were made to move to some other part of the country, where a similar allotment took place. It appears from this description that the people were still nomadic in their habits and that they were dependent on hunting as well as cattle-rearing and agriculture for their subsistence. Probably all three proved inadequate at times, and then they eked out the deficiency by predatory excursions. Caesar's account is sketchy,

and he tells us little about the different classes into which society was divided and the relations between them. But he leaves us in no doubt about the character of the tenure of land among these tribes. It was held in the first instance by communities jointly, for the magistrates of the people assigned land in sufficient quantities not to particular cultivators but to families that herded together.

It has been said that the common object of procuring a food supply led to the formation of these small societies. But they were certainly not the outcome of a deliberate policy, which took into account the inefficiency of individual efforts and was formulated with exclusive reference to the material needs of the villagers. Co-operation for tillage and cattle-rearing had its counterpart in the dependence of each family on its neighbours for the maintenance of law and order and for the proper performance of ceremonies enjoined by their faith. In fact, a fourfold tie united them, *viz.*, kinship, mutual dependence in matters relating to administration and religious worship and the need of combination in industry. And besides these, there was the political nexus of subordination to a chief, who in all likelihood treated them as merely members of a corporate and self-governing body with which alone he had direct relations.

The first five centuries of the Christian era witnessed considerable change in the social and economic polity of the German tribes. With the

decline of the Roman power, some of their chiefs found opportunities of extending their possessions or of acquiring wealth. So they liberally rewarded the services of those retainers to whom they owed their success. And the presents consisted no longer of implements of war alone, but included precious ornaments and land and in some cases even political rights over the humbler freemen. Thus the distance increased between them and the military followers of the chieftain, who now came to be included in the ruling class. Nowhere else are their status and importance in this period more fully described than in the lay of Beowulf, which was written in the original home of the Angles, though it received certain finishing touches after the conquest of Britain and the conversion of the conquerors to Christianity. I give below a few passages from a translation of the poem to illustrate their relation to the chieftain on the one hand and to the people on the other.

When challenged by the Danish coast-guard, Beowulf says of himself and his companions,—Of the race of the Gothic people are we, and hearth-companions of Hygelac. To the enquiry of Hrothgar's messenger, his reply is equally sententious, for he says simply,—We are Hygelac's table-companions (beord-geneatas). He evidently thinks that words like hearth-companion and table-companion are sufficiently descriptive of the status of military followers like himself and his friends. Again, what they expected from their lord is hinted

at in the epithets given to renowned chieftains. King Scyld is described as the bestower of rings (beaga bryttan) to his dear attendants, and his successor, Hrothgar, lord of the Spear-Danes, is called the bestower of treasure and the gold-friend of man (gold-wine gumena). The usual remuneration for military service such as was rendered by the thanes is also very clearly stated in a passage of Judith, which, though belonging to a later date, describes, so far as the subject allows, a state of society not far removed from that which is delineated in the Lay. The lines in question have been very ably translated into modern English in the following manner,—

> Then to the feast they went to sit in pride
> At the wine-drinking, all his warriors
> Bold in their war-shirts, comrades in his woe.
> There were deep bowls oft to the benches borne,
> Cups and full jugs to those who sat in hall,
> The famed shield-warriors shared the feast
>
> * * * * *
>
> Then Holofernes, the *gold-friend of man,*
> Joyed in the pouring out
> The haughty *gift-lord* till they lay in swoon.

It thus appears that the thanes claimed a certain measure of equality with their chief in social intercourse. It was often based on real kinship as in the case of Beowulf, who was Hygelac's kinsman and kinsman-thane (mæg ond mægo-thegn); but sometimes the kinship was assumed, as when a distin-

guished warrior was invited to take service under a foreign ruler and to receive gifts at his hands. Hrothgar, for instance, says to Beowulf after he has vanquished the monster, Grendel,—Now, Beowulf, best of men, I will love thee in my heart as a son ; hold fast henceforth the new kinship.

So far there is substantial agreement between the account of Tacitus and that given by the author of Beowulf. But the following statements in the Lay show that the liberality of the chief sometimes took a direction, which, unless checked by circumstances or by the will of the people, was bound to revolutionise the character of the agrarian economy. When Beowulf returned victorious to his native land, "The Protector of earls, war-famous King, bade fetch in the gold-wrought heir-loom of Hrethel ; there was not at that time among the Goths a greater treasure in the way of swords. That did he lay on Beowulf's lap and gave him *seven thousand hides of land, a house and ruler's seat.*" This novel method of rewarding the services of distinguished warriors is referred to once more in the speech in which, before his fatal encounter with the fire-spitting dragon, Beowulf gratefully acknowledges the favours which he had received at the hands of his former masters. "I was", he says, "seven winters old when the lord of treasures, the gracious friend of the people, King Hrethel, took me from my father, maintained and retained me, gave me pay and food . . . . Never through life

was I a whit more unpleasing to him as a retainer in his burgh than his own sons . . . . I requited Hygelac the treasures that he had given me by fighting (for him) . . . He gave me land, a dwelling place, home-joy. No need was there for him to seek among the Gifthas or the Spear-Danes or in the Swedish realm a worse warrior, purchase him with money".

It appears from the passage just quoted that the youthful apprentice lived like a retainer in the burgh of his master and was rewarded with pay and food, but that a different kind of acknowledgment was felt to be proper in the case of the veteran warrior, as after Beowulf had become the most formidable fighter of his time, Hygelac thought it fit to give him not only costly weapons but also land and a separate seat. What this implied is brought out in Wiglaf's instructions about the arrangements to be made for the funeral of the hero-king. "Orders", says he, "be given to many warriors, owners of homes, that they should bring from afar, *folk-owning men as they were*, wood for the pyre to where the brave one lay".

In fact, the last extract seems to prove too much, for it indicates that the ordinary freemen had sunk to the leve of possessions, and that the home-owning warriors could impress them for any kind of work that they liked. But there is much else in Beowulf and other songs of the period, which militates against such an assumption. Take, for

instance, the following passage from a translation of Widsith,—

every chief must live
Following others in his country's rule
By custom, who would thrive upon his throne.

So even kings could not break with the past, because long and uninterrupted possession of the throne was contingent on their respecting the good old traditions of the people. And it goes without saying that they could not transfer to their thanes greater authority over the freemen than they themselves possessed. Wiglaf's words must, therfore, be taken to imply a degree of political and economic subordination, which was still far removed from serfdom. And there are many passages in Beowulf, which go to show that the folk were still of some account in the state. When Beowulf, for instance, has a sight of the jewels, which he has won from the custody of the Dragon at the cost of his life, he exclaims,—

Thanks do I render for all to the Ruler
* * * * *
that he let me such treasure
Gain for my people ere death overtook me

And the messenger, who bears the sad tidings of his death, says,—

The folk now expecteth
A season of strife when the death of the *folk-king*
To Frankmen and Frisians in far land is published.

No Norman prince would have expressed such

concern for the welfare of the villeins of his officers or servants, nor would any Norman chronicler have noticed their hopes and fears regarding the body-politic.

But, as already observed, there is evidence in the Lay of the subordination here and there of the peasants to the more important thanes. This downward movement was not arrested by the conquest of Britain. On the other hand, it went on at an accelerated rate in consequence of the measures adopted by the rulers for securing military efficiency and compactness of the new states. Kemble explains this transition and thus bridges over the gulf between the original socialistic arrangement and the agrarian economy of the eleventh century. The -invaders were, according to him, not numerous enough to occupy the extensive territory which their arms had won for them. Hence a considerable portion of the country remained in the hands of the rulers ostensibly as a sacred trust for meeting the growing demands of the infant communities. But when their authority was sufficiently consolidated, portions of this reserve were bestowed on favourites and leaders of military bands. Population was by such thoughtless exploitation deprived of its natural sphere of expansion ; and increasing numbers were, therefore, forced to seek subsistence at the hands of lords (loaf-givers). Landlordism was thus, in Kemble's opinion, a late growth and was by no means a legiti-

mate outcome of the principles that had dictated the original Saxon arrangement.

Kemble's explanation has the merit of simplicity ; but in view of what has been already said, it is impossible to accept it without considerable qualification. The Saxon community must have consisted at the time of the settlement, of four classes, *viz.*, the earls and the thanes, the ceorls or ordinary freemen, the lœts or dependent workmen and the theows or slaves. Now in the apportionment of land, the distinctive rights and privileges of the different classes could not have been lost sight of. The earls, it is certain, got much more than they wanted for themselves and at least as much as was necessary for the maintenance also of the lœts and the theows. Thus slave communities were founded by the side of free village communities. But this was not all. In the country of their adoption, new political relations came into existence between the different orders of the free population. In Germany, subdivisions of tribes called pagi had been subordinate to elective heads called Principes by Tacitus. These pagi and principes reappeared in English history under the names of hundreds and ealdormen respectively, with this important difference, however, that while the authority of the magistrates had been limited and shadowy in Germany, it soon became very real after the transplantation of the community to a strange land. The vici and the pagi had to hold together for purposes of conquest and in a subse-

quent epoch for purposes of defence against the inroads of the Danes. This solidarity, however, could be secured only through the medium of the ealdormen, who represented the state. Incessant wars, therefore, riveted their hold on the peasantry, and in doing so, trenched upon its freedom and modified its proprietary right to the soil.

In view of these facts, it must be said that Gneist's theory of the agrarian evolution is less open to criticism than Kemble's. While admitting the original freedom of the masses, he unequivocally states that aristocratic institutions came into existence at a very early period in Saxon history, and that vast estates were in evidence soon after the definitive settlement of the barbarians in the island. But he is not alone in making this concession to his antagonists. The position taken up by Dr. Vinogradoff in "The Growth of the Manor" is substantially the same as that of Gneist ; and nothing can be more exhaustive than his analysis of the causes that led up to landlordism. As it comprehends the agrarian history of the entire Saxon period, I shall refer to the main points for the benefit of those of my readers who have not read his detailed account.

He begins by pointing out that in the very first stages of the English occupation, one comes in contact not only with free village communities holding land according to the mark system, but also with proprietors of vast estates, "The king got to be and always remained a great landowner. The Church

with its various institutions and corporations soon became a great land-owning power, and it borrowed its methods from Roman antecedents and continental examples." And while the great public bodies thus revived the traditions of the latifundia, concentration of landed property in the hands of opulent and powerful subjects was facilitated by the fact that during the settlement of the country, capital was needed for the spread of colonisation. Cows, swine and sheep and corn to start with were provided by the more resourceful or fortunate among the immigrants, with the consequence that those who accepted help forfeited in a certain measure their economic independence.

Vinogradoff refers next to the historical truth that the conquest was not achieved by a single below. The invaders had to fight for every inch of ground which they won, and so their advance was slow. During the unsettled times that intervened between their first arrival in the island and their conquest of a considerable portion of it, the reeves and thanes kept under their control large numbers of followers, who lived for war and by war. And when the conquest of any part was over, these leaders of military bands were provided with large estates. Thus arose the difference between the holding of the thane, which was never less than five hydes and the virgate or half-virgate of the peasant.

With the establishment of the petty kingdoms of the three tribes, fresh causes of political and

economic inequality came into operation. The princes were often at war with one another ;* and after the kings of Wessex had triumphed over their rivals, they had to hold their own against the Danes. So long as the tribesmen had not abandoned their nomadic habits and semi-pastoral life, they could without difficulty muster strong against an enemy at a short notice. But when agriculture became the main industry and an extensive country was occupied, this proved almost impossible. The rulers had, therefore, to depend more and more on the support of captains of disciplined troops, and their services were liberally rewarded by investing them with authority over the lower freemen. "Thus these

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* The nature of the relation between a prince and his thanes in these unsettled times and the necessity of such a relation may be seen from the following account of a notable event, which is taken from the Anglo-Saxon Chronicle.

After the murder of Cynewulf by Cyneard (in 784), the king's thanes having discovered the affray by the woman's cries, each, as he was ready and with his utmost speed, ran to the spot. And the Ætheling offered money and life to each of them, and not one of them would accept it ; but they continued fighting till they all fell, except one, a British hostage, and he was sorely wounded. Then upon the morrow the king's thanes, whom he had left behind, heard that the king was slain; then rode they thither...................... And he (Cyneard) offered them the choice of land and money *if they would grant him the kingdom* and showed them that their kinsmen were with him. And they then said that *no kinsman was dearer to them than their lord,* and that they never would follow his murderer.

gradually lost the character of settled warriors and assumed the position of coloni and labourers ; their weapons glided out of their hands, and with their weapons disappeared their main claim to freedom".

Among other causes which contributed to bring about this undesirable result are to be reckoned the disruption of the ties of kindred, the desire for protection on the part of the weaker members of the community and the policy of a government conscious of its inefficiency. The weakness of the central power was not felt in Germany, because a man's kindred did for him what the chief left undone. But in the country of his adoption, he was often separated during the process of settlement from his relatives and friends. Besides, new and complicated political relations seriously affected the jurisdiction of kinsmen. The poor and friendless ceorl was, therefore, obliged in not a few instances to apply for protection to his rich and powerful neighbour ; he commended himself to the latter. It is true that commendation was at first a purely personal and voluntary relation ; but it soon lost the character of a free contract, as one of the parties was too weak to resist encroachments. Patronage thus developed into a permanent lordship over freemen and their land. The dependence imposed on them was not, of course, of one unvarying pattern. Local usage and the relative strength of the parties determined its character in each case and thus gave rise to a confusing variety of base tenures.

An important change in the form of government facilitated the conversion of the ceorls into hewers of wood and drawers of water. They had formerly exercised their power in the state through representatives chosen in every hundred-moot. "But when by the union of lesser realms, the folk sank into a portion of the wider state, the folk-moot sank with it ; political supremacy passed to the court of the far-off lord, and the influence of the village community on the administration came to an end." The nobles, however, could still gather round the king ; and as the folk-moot ceased to be a power in the state, the witenagemot, the assembly of the great men, came to the fore-front as a royal council. So popular freedom, as it expired, bequeathed as it were its privileges to this conference of the notables. They took its share in the making of laws, in the conclusion of treaties, in the control of war and in the disposal of the public funds. They even claimed the right to elect and depose kings.* Persons invested with such powers could not in that

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* As an example, in 755 Cynewulf and the West Saxon witan deprived Sigebert of the whole of his kingdom except Hampshire as a punishment for his wrong-doings.

That the Saxon Kings could never completely emancipate themselves from the control of their witans appears from entries like the following in the Chronicle :—

991. This year the army among the Northumbrians broke the peace and despised whatever peace King Edward *and his witan* offered them.

age be very scrupulous in the attainment of their ends. And so it is hardly strange that they came in course of time to claim eminent domain over the possessions of the degraded and defenceless marks.

As a result of such aggression, the ceorls as a class changed from freeholders to despised tenants bound to do service to their lord, to follow him to the field of battle, to look to his court for justice and to work for certain days in the week on his demesne. The political forces that were at work in this period as well as the defects of the mark system made such a transformation almost inevitable. But it was a slow process, for it was already in progress when Hengist landed on the shore of Thanet and was far from being complete when William of Normandy set foot on English soil. Seebohm's error, therefore, consists in attributing to the community of the fifth century the distinctive features of the agrarian organisation of the twelfth. He bridges over the historic gulf by assuming without sufficient evidence that the fully developed manorial system of the later epoch was the legitimate offspring of the Saxon economy of the mark. We may, if we choose, characterise the former as a reproduction of Roman methods. But we must not forget that it had its origin in the complete surrender of those principles

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1002. In this year the King decreed *and his witan* that tribute should be paid to the (Danish) fleet and peace made with them.

which had created and regulated the earlier Teutonic system. The fateful ages, that Seebohm apparently takes no account of, witnessed the struggle and downfall of popular freedom. And when at last peace and law came with the Norman conquest, the rejuvenated State testified not to the triumph of the old order, but to the growth of a new and noxious arrangement which had risen on its ruins.

But economic and political conditions had prepared the ground for it before the Conquest, and what the conquerors did was to give definite legal sanction to the arrangement as a feature of the social organization and to assimilate it to the Roman law of slavery. There is evidence of the growth of landlordism and the association of political power with it even in the days of Ine, and in the centuries that followed, the tendency, which was then observable, became more and more pronounced. Thus the possessions of the 'twelf-hynd' men or thanes increased at the expense of the 'twy-hind' ceorls, many of whom were probably too glad to buy peace and security by sacrificing their precarious independence and commending themselves to some neighbouring lord. "The natural tendency", says Hallam, "of such times of rapine, with the analogy of a similar change in France, leads to this conjecture. And as it was part of those singular regulations which were designed for the preservation of internal peace, that every man should be enrolled in some tything and be dependent on some lord, it was not very easy

for the ceorl to exercise the privilege (if he possessed it) of quitting the soil upon which he lived."

The last words of the extract require some explanation. A tithing was a group of ten families, each of which was responsible for the good conduct of the rest and pledged to bring to justice any member of the association who was summoned to answer for his misdemeanour. In this connection, it was called a frithborh or security for peace, the constituent households standing as a sort of permanent bail for one another. The arrangement, whatever its merits might have been, must have prevented the ceorl from migrating freely from one place to another. But this was not the only bond which tied him to his village, for it was obligatory on him to have a lord, or as they put it, to be in the mund or protection of a patron, "While the frithborh secured his responsibility to justice, the mund was expected to secure justice for him. If he was maimed or slain, the mund was said to be broken, and the culprit had to offer compensation not only to his relatives, but also to the injured patron. This custom of the mund was an unmistakeable testimony to the progress of seignorial jurisdiction and, in fact, one of the most significant preparations for the feudal system.

It should be mentioned here that the political and economic forces, which subjected the petty cultivator and his land to seignorial authority, effected at the same time a remarkable change in

the character of the older and higher Saxon aristocracy. In the half-formed society before the conquest, the duties of the ealdormen to the state could not have been verv well-defined ; and probably it would be correct to say that they owed only a nominal subordination to the chief, who was primus inter pares and little more. But with the conquest all was changed. The need for solidarity and discipline was everywhere felt, especially as the tribal bond was in most instances destroyed during the period of settlement in a strange land. Consequently the ealdormen submitted partly owing to coercion and partly at the dictate of self-interest to a new order and exchanged their unchartered liberty for a more or less stringent control from above. They soon found that they were not losers by this readjustment of political relations, though it degraded them to the rank of royal officers* and deputies, for their fidelity was rewarded by grants of extensive estates out of the conquered territories, and at a later time thev were given the command of the military forces of the shires and a third of the fines levied therein. The full import of the change was realised when Canute divided the

* The following proclamation of Withred, king of Kent, in 694 throws light on the new relation :—It is the duty of kings *to appoint earls and ealdormen*, shire-reeves and doomsmen and of the arch-bishop to instruct and advise......... bishops, abbots, abbesses, priests and deacons, and to select, appoint and consecrate them.

kingdom into great military districts and made the earls responsible for their administration, while allowing them to appropriate the revenues as a reward for their services.* This measure was no less than the adoption of the celebrated feudal maxim, "Nulle terre sans seigneur". And henceforth the alliance between proprietorship of land and punitive powers was a prominent feature of the English land system.

These measures were, of course, prompted by the growing need of the sovereign for the support and co-operation of powerful subjects. With the development of the State, new administrative functions were discerned and taken up. But the central government was not in a position to discharge all of them. It delegated, therefore, its powers to influential subjects, and with these powers it entrusted them with the performance of important duties. Influence, authority and wealth came as a consequence to be the distinguishing attributes of these servants of a semi-feudalized court. And they improved their position still further under a succession of weak kings, who bribed them into

* This decentralisation amounted practically to a partition of the kingdom under the weak rule of his successors. Godwin's earldom consisted of Wessex, Sussex and Kent. Sweyn's earldom extended over Oxford, Hereford, Somerset, and Berkshire, and that of Harold, over Essex, East Anglia, Huntingdon and Cambridgeshire.

obedience by liberal grants of folk-lands or rather of jurisdictory rights over them.

It was the custom to establish in favour of these grantees, liberties which exempted them from the control of the Hundred. Gradually the judicial powers of the latter together with the income derived from the administration of justice (sac and soc) were appropriated by them. There grew up in this way a territorial aristocracy, based ultimately on service to the sovereign or the State, but in splendour and real power, far surpassing the original and less dependent aristocracy of blood.

In trying to account for the disenfranchisement of the mass of freemen, I have dealt with all that is significant in the agrarian history of the Saxon period A few more details will enable my readers to form a fair idea of the different kinds of tenure that were in evidence in it. The first thing to be noticed is the distinction that existed between folkland and boc-land. The folkland was family land under special obligations to the State, and no alienation of any part of it could be made without the consent of the national council.* But this restraint,

* That the consent of the Witan was felt to be necessary will appear from the following account of a grant to the Church, taken from the Anglo-Saxon Chronicle.

Wulfhere, King of the Mercians, announced at the time of the consecration of the monastery of Medeshamstede (Peterborough) and in the presence of dependent and friendly kings, earls, bishops and thanes, his intention of giving

judicious as it was, soon proved a snare, for at the instance of the nobles, who constituted the royal council, the extent of boc-land steadily increased at the cost of the smaller men and the state revenue. A charter from the monarch in council, a grant attested by a book, placed the free district in the position of a private estate; and the number of such estates increased with the growing importance of the military and governing classes.

Boc-land had a special charm, because the possessor of it was more of a proprietor and less of a tenant than holders of other kinds of land. There were often no limits to his power of disposal, and he was as a rule exempted from those dues and services, which were exacted from other possessors of real property. Besides, grants of boc-land on an extensive scale were usually associated with the privilege of private jurisdiction. At the same time, they did not give rise to any special relation between the grantor and the grantee, like that which was created by a benefice. Hence they were eagerly sought by ecclesiastics, who were able to appeal to the piety or superstition of the rulers for the purpose of obtaining them. It has been ascer-

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extensive lands to the abbot and the monks. Then the Pope's rescript was sought and obtained. And after it had arrived, Wulfhere ordered archbishop Theodore to summon the witan to meet at Heathfield. When the notables were assembled, the rescript was read out to them, and they all *assented to and fully confirmed it.*

tained that so early as the eighth century, considerable portions of the folkland had been alienated in this way in favour of the ministers of religion.* But the gifts did not long remain confined to them, as every one who had influence at court could secure slices of boc-land for himself.

These transfers involved a severance of the

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* The nature of ecclesiastical property may be seen from the following royal proclamations, both of which belong to the latter part of the seventh century.

I, Wulfhere do this day (657) give to St. Peter and abbot-Sexwulf and the monks of the monastery, these lands and these waters and meres and fens..............freely, so that none but the abbot and the monks shall have any claims upon them.

I Withred, King of Kent, forbid to all kings our successors and to ealdormen and all laymen any lordship whatever over the churches and over all their possessions, which I or my predecessors of olden days have given as an everlasting inheritance to the glory of Christ.

One may form some idea of the kind of influence that was brought to bear in securing these unqualified grants, from the Pope's rescript, which blessed the liberality of Wulfhere.

'I ordain', wrote the Pope, 'on behalf of God and St. Peter and of all saints and of every person in orders, that neither king nor bishop, nor earl, nor any man have any claim or any tribute, geld or military service or any other kind of service from the abbey of Medeshamstede......Whoso observeth this rescript and this decree, let him be ever dwelling with God Almighty in the kingdom of heaven; and whoso breaketh it, let him be excommunicated and thrust down with Judas and with all the devils in hell unless he repents.'

relation between the State and the ceorls, and so they could not always take their stand on the immemorial custom of the land against the great landlords who took its place. Folk-right disappeared, however, on the alienated land, not because there was a formal abrogation of it by the monarch, but because his protecting authority could not be invoked if the new master chose to ride rough-shod over it. The ceorls had been virtually proprietors of the folkland, for though their right to it had entailed heavy responsibilities, yet these had seldom gone beyond the *trinoda necessitas* or contribution towards the repair of roads and bridges and military service in defence of the realm Thus their new state of unprotectedness made all the difference between qualified ownership and tenancy on terms which were liable to modification. It is inconceivable, indeed, that there was a general and immediate revision of these terms. But the way was paved for a progressive degradation of the cultivators by the circumstance that they no longer held by a public title and on condition of rendering public service, but had to earn their claim to their possessions by serving corporations or powerful nobles, whose avarice or ambition could not be always thwarted by a mere appeal to ancient custom. The creation of these private estates was, therefore, the cause and evidence of a social and economic transformation, the full significance of which was brought out by the Norman lawyers, when they described the descendants of

the ceorls as fettered to conditions which were entirely indeterminate in their nature.

Besides these degraded proprietors, there were others who might be fitly called tenants-at-will. They held their land on no better title than the permission, often tacit, of the proprietor and paid for its use in money or in labour or in kind and not uncommonly in all three. Land thus held was called læn-land or lean-land. But though the tenure was precarious, the tenants were not all of them in the same unsatisfactory condition. For while some of them were no better than cottiers, there were others who might be classed as substantial farmers. It was the size of their holding more than the nature of their tenure that determined their economic condition.

As a set-off against the picture of degradation just presented, may be mentioned the enfranchisement, more or less complete, of many of the theows and wite-theows. Heathen Europe had regarded slavery as a necessary and universal institution, and the frequent wars of the Dark Age had maintained a plentiful supply of slaves. But with the spread of Christianity, there was a distinct improvement in their condition. This was due mainly to the untiring efforts of the monks and friars and to their ennobling example. They allowed manumission on the estates of the abbeys and monasteries and taught the rich to regard liberation of bondsmen by means of testamentary disposition as a signal act of merit.

At their suggestion, Æthelstane gave the slave-class a new rank in the nation by extending to it the police organisation, which had before his time belonged only to the free. The synod of Chelsea went a step farther, the bishops assembled therein vowing to free all serfs on their estates, who had been reduced to serfdom by want or crime. Disinterested work of this kind could not but prove effective. And the numerical insignificance of the servi in the middle of the eleventh century was an eloquent testimony to the success which had crowned the humanitarian labours of the Church.

Turner says that the cultivation of the Church lands was decidedly superior to that of the lands of the laity. And it appears from the Domesday records that there was much less wood upon them and that they abounded in rich meadows. The difference was due to the freedom from galling servitude of the tenants of the Church, to the personal interest taken in agriculture by the ecclesiastical dignitaries and to the inspiring example of the monks and friars. These chose for their retirement secluded regions, which they carefully tilled with the labour of their hands.

But agriculture, generally speaking, was in a very backward condition all through this period. The export trade in corn disappeared more or less completely in the six centuries that intervened between the departure of the Romans and the establishment of Norman rule. And within the country

itself, each locality had to depend as a general rule on its own produce, as there was very little of trade between the different districts. Accordingly, in most years there was a real dearth in some part or other, which the government of the time could do little to mitigate. Under imperial domination, Britain had, besides meeting her own wants from the produce of her fields, exported large quantities of corn for the support of the Roman populace and of the expeditionary forces in Gaul and Germany. She had also produced a number of other things for foreign markets and had received in return valuable building materials, costly wines and articles of luxury from the South. The Saxon conquest of the island put an end to this international commerce and to the industries which supported it, so that there was a concentration of labour and capital on the single business of agriculture. Yet its returns barely sufficed for the maintenance of the inhabitants, and positive checks like famine and pestilence were frequently in evidence to adjust the demand to the supply. At the same time, the population was probably never during these six centuries larger than what it had been under Roman rule. It must, therefore, be concluded that the Roman coloni did the work of tillage much better than the sturdy race of freemen that supplanted them.

But was the life of the conquerors easier or more blessed with leisure than that of the victims of Roman tyranny and avarice? There is not much

reason for thinking that it was. Village life in the Saxon period was full of hard work. And the fixed grooves to which it was confined as well as the traditional rules by which it was controlled must have robbed it of that interest which belongs to work in which there is some room for the expression of the individuality of the worker. There was at the same time no compensation in the form of comforts and conveniences for the drudgery to which they were wedded. Their rude cabins were remarkable for a plentiful lack of furniture. They lay on straw and wrapped themeslves up in half-dressed skins, as they had no bed-steads and bed-clothes. Their clothing was of the coarsest stuff, and they had not always enough of it. When the seasons were liberal, they could count on having every day rye-bread and beer to moisten it ; but even salted pork was a rarity and milk was not much in evidence except in summer.

Was the standard of comfort much higher of the thanes and earls, who had improved their position at the expense of the cultivators? They could boast, indeed, of a certain kind of abundance. But that was all. Of refinement, ease and art, there was little evidence in their ugly, straggling houses, which contrasted strangely with the beautiful villas of the Roman proprietors, with tessellated pavements, ornamental windows and sumptuous baths. They were able, no doubt, to maintain a large number of retainers. But that only proved that agriculture could

in normal years supply with the first necessaries of life the entire population of the country, which was not large. It was not equal to providing even the highest section of the community with the means of procuring the requisites of a comfortable existence.

The village communities of this period were, as already observed, experiments in communism. But the political and economic results were anything but satisfactory. The Saxons had very few of the comforts of life in their father-land ; and it was the pressure of population on the means of subsistence that had compelled them to seek a new home. Nearly six centuries had elapsed since then, and there was no lack of the agents of production in the country which they had occupied. It was, morever, well-stocked with that sort of capital which was needed for the industries with which they were familiar. If with advantages like these, the community failed to progress for a considerable length of time, the failure must be set down to radical defects either in the character of the people or in their institutions. But the Saxon race was then in its infancy, and it has not even now shown any signs of decadence. So we should be justified in concluding that there was something inherently wrong in its institutions. The arrest of development has been ascribed to wars and frequent pestilences ; and it has been said that human industry could not cope successfully with the destructive revolutions and terrible disorder of the age. But the Saxons learnt

useful lessons in industry and trade from the Danes with whom they chiefly fought, so that though the wars were a disturbing element, they did not prove in the long run an unmitigated evil. Besides, there was hardly any improvement even in those districts which were least exposed to the inroads of the Northmen.

The stationariness of the population during this dreary period is another proof of the backwardness of agriculture. Semi-civilized races have been always noted for their fecundity, and the Saxons were no exception to the rule. Besides, the condition, which more than anything else favours a rapid increase, was present in England, as there was no lack of fertile soil. Wars, it is true, are held to been retarded growth. But the Danes with whom they had the most sanguinary conflicts settled on the land, the possessors of which they vanquished and slew, so that though the Saxons might have temporarily declined in numbers, there was no reason for the arrest of growth of the total population during a considerable length of time. Pestilences might have caused a much greater loss. England was then the hot-bed of infectious diseases, which decimated the people with the regularity of periodical visitations. But these diseases were there, because the people were miserably housed and insufficiently fed and clothed, so that pestilence was as much the effect as the cause of industrial stagnation and consequent poverty.

It is not suggested that the defective agrarian and social organisation of the Saxons was at the root of all these evils. Tyranny, lawlessness and ignorance were, no doubt, primarily responsible for them. But there can be no doubt that the institutions under which they lived could not exercise a decidedly uplifting influence or ensure the success of the industry to which they had special relation. The two objects which they aimed at were self-sufficiency for every social and industrial unit and an assured competence for every free member of it. There are modern advocates of self-sufficiency who almost identify it with economic freedom. But it is diametically opposed to freedom, in so far as it limits demand to the objects that are produced at home though other things may be much more diserable, and further prevents the concentration of capital and labour in those fields of industry in which the community has the greatest advantage. Hence if the principle of self-sufficiency is pushed too far or if it becomes a regulating force in small communities the resources of which are necessarily limited, it becomes a serious obstacle in the way of industrial development. In the Saxon mark, however, it was pushed to the extremest point possible, because it sought to render each family independent even of its neighbours by making it produce all the different things that it needed for its existence. So every household devoted itself not any to agriculture and sheep-farming, but also to carding, spinning,

weaving, tanning and brewing, with the result that no proficiency was attained in any of them.

The other object was attained by limiting in the first instance the proprietary right of the freemen to their possessions and secondly by prescribing a strict adherence to traditional modes of culture and of sheep and cattle rearing. But by giving every family a vested right to a slice of the common land-fund and at the same time prohibiting new methods of treatment of the soil, it confirmed the lazy in their habits and took away the incentive to industry from those who were ambitious, intelligent and resourceful. For industry and ability could not be a passport to wealth and distinction so long as the share of each householder was irrevocably fixed and determined by the shares of others. There was thus no scope for imagination, which is a potent factor in industrial development. Each cultivator had to be content with his lot and had to perform with unswerving obedience his allotted task. He was a unit of a regimented society and was under the control of an impersonal tyrant which was not the less tyrannical because it had a democratic form, for its dead hand effectually crushed self-reliance and the inclination to take risks.

The mark system was as a matter of fact thoroughly inelastic and incapable of improvement. When it was introduced into England, there was evidence on every side of the superior husbandry of the Roman latifundia. But its tradition of careful culture was

revived only in the lands belonging a abbeys and monasteries. This improvement was due, no doubt, partly to the freedom from galling servitude of the tenants of the church. But it might also have been the result to some extent of the prevalence on the boc-lands granted to the church of a form of tenure, which, though temporary in character, permitted an individualistic treatment of the land.*

The decline of the mark system was, therefore, caused partly by its inherent defects and not entirely by the nature of the conditions under which it was tried, for some of them were not inimical to progress. These defects did not tell in a primitive and unprogressive society, but they developed into insuperable obstacles to progress with the growth of that society

* The nature of these leases may be found by examining two rather important cases of letting out land by the abbot of Medeshamstede, which are mentioned in the Chronicle.

In 777, Cuthbert, the ealdorman, received ten copy lands at Swines-head with meadow and other things belonging to them on his undertaking to pay a premium of £50 and to give each year 30s or one day's entertainment to the monks. It was understood that *the lands should return to the minister on his death.*

In 852, one Wulfred got the land of Sempringham on the condition that *after his decease the land should revert to the minster* and that while he enjoyed it, he should deliver each year 60 loads of wood, 12 loads of coal, 6 loads of faggot, 2 tuns of pure ale, 10 measures of Welsh ale, 600 loaves, 2 beasts fit for slaughter, 1 horse and 30 shillings, and pay for one day's entertainment.

and the consequent increase in the complexity of its internal and external relations. In Germany, the homogeneity of the village communities had been an advantage, for it had facilitated concerted action for purposes of pillage or migration on the part of the few communities of which each tribe was composed. But when by the coalescenee of such tribes, a great nation was formed in England, the various needs of administration and defence gave rise to a growing differentiation of duties and privileges which was at variance with the primitive simplicity of the mark. And the mark itself was thoroughly incapable of adjustment to altered circumstances, for it is the nature of communistic organisations that they change very slowly, based as they are on the abnegation more or less complete, of freedom even on the part of those who are most intelligent and alert and, therefore, best fitted for discerning and correcting the defects of the institutions under which they live.

There was another defect in the marks, which early threatened and ultimately destroyed their existence as political units. The self-sufficiency, which they aimed at, could not go far enough as a constructive principle ; and so when the time came for their fusion into wider groups of greater powers and responsibilities, they stood isolated from one another and imperfectly connected with the central government. They had their origin in the need of solidarity, but their composition and narrow outlook stood in the way of their forming integral portions

of a more complex organisation, that might have maintained its ground against dangerous neighbours and foreign foes. At the same time, the communistic spirit which inspired them was not always strong enough to offer an effective resistance even to petty aggression. It is likely that in this early period as at later times, there was forcible appropriation here and there of portions of the waste, in which individual property had not been allowed. Every such appropriation was a significant comment on the inherent weakness of socialistic arrangements, which by ruling out private property rule out at the same time those motives and feelings that have constituted the greatest safeguards against encroachment.

There have been apologists of village communities in recent years, and their resuscitation has been confidently suggested from certain quarters as a remedy for the crying evils of the present day. They were, however, the expression of a false economic ideal and were based on false economic principles. So long as production is inadequate, an equitable system of distribution can not go far to relieve want and distress. And if it is just adequate to the needs of a community and there is no effective spur to improvement, then unless preventive checks to increase of population are in operation, even the maintenance of the old standard of comfort becomes sooner or later impossible. I have stated that destitution and debt were among the causes that brought about the degradation of the free-born ceorls. They

had pinned their faith on the communistic character of their economic organisation as a guarantee against an extremely unequal distribution of wealth. But the almost exclusive importance which it attached to agriculture and the manner in which it obstructed the development of this industry were primarily responsible for their chronic poverty. It had served, no doubt, an useful purpose in the early days of the settlement by providing a system of cooperation, when without such cooperation, the peasant would have encountered insurmountable obstacles. But after the country had been fairly settled, it continued to impose too many fetters on the industry and thus retarded its growth. For industrial development, it is necessary that the workers should haye the right to experiment on their own account and to manage their property in the way that appears to them most economical or most profitable ; but this was not allowed in the supposed interests of the community. The primary concern of the system was not, as it should have been, an increase of output, but an equitable allotment of the means of production, though in determining what was equitable, no account was taken of the capacities and predilections of the men.

Those who would abolish private property in land say that they desire the abolition in order to assure to all the conditions of a truly human existence. But the conditions of a truly human existence remain yet to be defined. With widening experience

and outlook, men have found them in trade and manufacture, though these were once regarded with contempt. And it is due to the traders and manufacturers of England to say that they won back the freedom which had once been forfeited by the village community. It failed to hold its own probably because it fostered a spoon-fed docility in its members, instead of simply providing facilities for voluntary cooperation and thus leaving room enough for the development of their diverse capacities.

CHAPTER II
FEUDALISM

The Norman Conquest introduced a new train of circumstances which abruptly broke the continuity of the social and economic history of the Saxon peasants. It is necessary, therefore, to stop for a moment on the border-land and examine the different sections of which the class was composed in order to determine precisely their status, rights and obligations. Fortunately there is no lack of materials for this purpose. The later Anglo-Saxon records are a store-house of information; but more valuable than even these is the systematic and accurate presentation of facts in the Domesday Book. I shall in the following account draw largely on the details in this stupendous work, as marshalled by Prof. Maitland.

There were about 25,000 servi on English soil at the time of the Survey.* They must have formed a section of the peasantry distinct alike from the villeins, the borderers and the cottiers, as in entry after entry of the Domesday Book, they are kept well apart from the latter. This record of rights,

* Their exact number, according to the Domesday records, was 25,156. They were much in evidence in the Celtic side of the country, but were comparatively rare in the northern half and in the Danelagh.

however, is silent about their status and obligations and does not mention any method of distinguishing them from other cultivators. But it may be safely presumed that they had no legal rights whatsoever and were chattels rather than persons. As descendants of the theows of Anglo-Saxon dooms, they certainly ranked below the villeins, the ill-starred children of degraded ceorls.

During the Norman rule, the servi steadily declined in numbers, being absorbed in the higher class, till at last in the thirteenth century, servus and villanus came to be interchangeable names. This amelioration was due partly to the Frenchman's ignorance of the worst form of slavery and partly to the general adoption of a system of farming in which the landlord relied less and less on the labour of slaves whom he fed and more and more on the labour of tenants who received allotments of land for their services.

Immediately above the servi was the much smaller class of buri or burs, which contained less than a thousand members, though it was represented in more than a dozen shires. The status of these burs was anything but well-defined, and it varied from place to place. But, generally speaking, they were hardly better off than the serfs, though in some manors they might have ranked higher than the borderers. If the Norman jurists re-christened them coliberti because there was a close resemblance between them and the class so designated in France,

it must be said that they were as a class less free than the borderers and cottiers, but not altogether rightless, when compared with the servi. Their labour-payments, like their status, depended on local custom, being more onerous in some districts than in others. But usually they worked on the demesne lands for two days in the week, except at harvest time, when three days, labour was exacted of them. Besides this, they had to do a certain amount of ploughing for the proprietor and to pay hearth-money and gafol in cash, barley, sheep and poultry. In consideration of these services and payments, they received an outfit of two oxen, one cow, six sheep and seed for seven acres as well as household stuff. But their ownership over these gifts was strictly limited, as they reverted on their death to the proprietor.

The rural districts contained in addition to the servi and the buri, 108,500 villeins, 82,000 borderers and 6,800 cottiers. The lines which divided these classes were, as Prof. Maitland observes, economical rather than legal. In other words, the distinction between them turned upon the amount of land that was held or the amount, and not the quality, of the service that was rendered to the proprietor. Even these economic lines were not, however, drawn with sufficient precision or according to one uniform pattern, but varied in such a manner as to render all logical classification out of the question. In general, the villein possessed a virgate or half

virgate, and the borderer, between four and five acres, while the cottier had probably no arable land at all. But cases were not rare in which the borderer had as much land as the ordinary villein. In course of time, the distinction between the two classes disappeared, the bordarii being merged in the more impotant section. This fusion was but natural, as it was impossible that the difference between them, shadowy and fluctuating as it was, should perpetuate itself.

As regards the legal standing of the villeins, it cannot be said that they were quite unfree, for they were deemed worthy of their were and wite, and their were was equal to that of the socmen,—a class whose pretensions to freedom were never disputed. The question whether they were at liberty to quit their lord and land has been differently answered. In the twelfth and thirteenth centuries, they were certainly adscriptæ glebæ ; but this might have been the bitter fruit of Norman tyranny and of the abortive attempts of the peasantry to throw off the yoke of the foreigner. On the whole, there is no conclusive evidence, that they were irrevocably tied to the soil in the days of Edward the Confessor. But it must be said at the same time that the institutions of the mund and the tithing and their general poverty must have prevented them from using the right of migrating, even if they possessed it and thus practically converted them into fixtures of the estates on which they lived.

The next question is whether they had a locus standi in the national courts, or like the bondsmen, were subject without a right of appeal to the proprietor's jurisdiction. Here, again, there seems to have been no general rule. The villeins of those landlords, who had sac and soc, had, of course, to look for justice to the seignorial courts. But before the formal introduction of feudalism, the sac and soc were in the king's gift and not an invariable incident of proprietorship. Consequently the mere fact that a lord had villeins on his estates did not give him a jurisdiction over them.

Thus on the eve of the feudal epoch, the villeins were still half way between servitude and freedom, though irresistibly gravitating towards the former condition. They formed, together with the borderers, by far the largest and most important section of the peasantry; and the fate of the entire class and of the industry to which it was wedded depended on the manner in which new social and economic forces were to affect their fortunes.* But for a correct

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* A definite idea of the importance of the villeins may be formed from the following calculations of Seebohm.

The total number of villeins in the surveyed counties was 108407. If each villein held a yardland or virgate of 30 acres, then about 3,250,000 acres were contained in their holdings. The number of villeins holding half virgates was, however, probably greater than the number holding half hides and hides, so that the average holding would perhaps hardly be equal to the normal holding of 30 acres. Taking the average hold-

understanding of the operation of these forces, it is necessary to bear in mind that they were not all of them descended from freemen who had lost their status in unquiet times. Some had a more ignoble origin, and owed their partial liberation to the frequent manumissions of the Saxon period. And it was on account of this admixture that the villeins came to be subjected to many of the characteristic taints of bondage. In fact, their rights and duties bore unmistakeable testimony to the twofold origin of the class, as they were derived from the incidents of prædial servitude as well as from the status of freemen.

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ing at 20 acres instead of 30, we should probably underestimate the acreage. It would even then amount to 2,168,000. We shall be safe if we say that the villeins held in their bundles of strips 2¼ million acres. We must add the holdings of the 82,000 bordarii and of the 6000 or 7000 cottier tenants. If these lesser holdings averaged 3 acres each, we must add another quarter of a million for them............... The holdings of the sochmanni and the liberi homines of the Danish district must be added and also the arable land (ploughed mainly by the villeins) on the lords' demesnes. The 23,000 sochmanni can hardly have held as little as a similar number of villeins, say half a million acres. The 12000 liberi homines, say, another half million. And one and a half million acres can hardly to regarded as an excessive estimate for the arable portion of the landlord. The Domesday survey seems, therefore, to show that at its date about 5 million acres were under the plough...........And the villani in their yardlands held nearly half of it, and together with the bordarii fully half of it in villeinage........... By their services, they tilled the greater part of the rest.—*English Village Community.*

Besides these villeins, there was in Saxon England a respectable class of free socagers who held their lands at a quit rent from the lord and possessed the privilege of alienating their property. They ranked higher than even the villein socmen of the Ancient Demesne owing to the circumstance that they could obtain redress for injury from the Common Law courts of the realm. The yeomen of the fourteenth and fifteenth centuries, to whom England owed so much of her military glory, were many of them descended from these socagers. Their independence and solvency and the virtues which these fostered formed for a considerable length of time an important portion of the national assets.

The landed interest included, besides these tillers of the soil, about 8000 sub-tenants and 1400 tenants of the king. They were not merely receivers of rent, as they were directly concerned with the business of agriculture in the management of their own farms, which were cultivated with more or less servile labour. They possessed a moiety of the total land in the country, while of the other half, three-fifths belonged to the Church and two-fifths to the sovereign. But much of the latter was in a sense a national possession, as he could not lawfully dispose of it without the consent of the Witan.

The introduction of the feudal system is attributed by some historians to William of Normandy. But it was far from being a completely novel institution.

Grants of public land and of jurisdiction over village communities had been for some time past a convenient method with kings and earls of rewarding military assistance. And this expedient had been raised to the dignity of a national system by Canute, who had leased out royal rights over particular districts to his most distinguished followers in consideration of services to be rendered in war and peace. He had thus established the system of national defence on a basis of contract, which might have developed along the lines which it subsequently took, even if William had never set foot on English soil.

Still it is not without an appearance of justice that a complete reorganisation of society has been ascribed to him. The army which conquered England for him consisted mainly of soldiers of fortune and his own feudal vassals. He rewarded their fidelity with the confiscated lands of Harold and his family and of other English nobles. In doing so, he stipulated for military service and saddled his grants with the usual feudal burdens. Thus the feudal system, which had been growing up for ages as the result of political and economic conditions, was at a critical stage taken up and worked out by the ruling authority.

An enquiry into the origin of feudalism does not fall within the scope of my subject. So I shall content myself with a brief reference to the different types of land tenure that were associated with the institution in England. Those who held immediately from the

sovereign were called tenants-in-capite, and theirs was the most honourable species of tenure. It was originally of two kinds, *viz.*, ut de honore, where the land was held from the king as proprietor of a particular manor, and ut de coronâ, where it was held of him in right of the crown. "Those who held from the tenants-in-capite were called mesne lords, while the lower tenants or those who made the land immediately available for purposes of production were called tenants paravail." Fiefs were divided into feuds proper or purely military, and improper, which were given away for any other consideration than military service. The first were held on condition of knight-service, which was the original and, in fact, the most important feudal obligation. The extent of land constituting a knight's fee was formerly supposed to be five hides. But no definite principle of assessment seems to have been followed at the outset. The confiscated property of the Saxon nobility was turned over to the leaders of the Norman host with no more description than that the lands of A were now to be the lands of B. What lands had belonged to A was left to be determined by a local enquiry with which the king did not concern himself. Thus the military service which had to be rendered for the grant was fixed without detailed reference to its size or value. If a fief failed to supply its quotum, it was, in strict law, forfeit ; but in practice, the forfeiture was remitted to a

fine called escuage, which was at first determined arbitrarily by the feudal superior.

"Besides the duty of military service, the vassal had duties of peace. He was bound to do suit to the lord, that is to attend his court ; the great barons attended the king's court and there heard causes under the presidency of the Grand Justiciary of the realm ; the minor tenants attended the courts of those from whom they held—courts baron as they were called—and there answered complaints brought against them or formed a homage or jury for hearing complaints against others."

Besides these services, the lord expected from his tenants certain payments which are known as feudal incidents. First in importance among them was relief, a succession duty levied on every one inheriting a fief by virtue of descent. As its amount was not fixed in the early days of Norman rule, it was a ready means of extortion and was so used. William Rufus exacted from the heir of the dead baron such an exorbitant price for permission to enter on his inheritance as really amounted to a *redemptio* or repurchase of the estate. Henry I and Stephen promised to fix a fair and proportional amount, but they failed to redeem their pledge. In the reign of Henry II., the relief of the inferior vassal was fixed at a hundred shillings on the knight's fee, but that of the tenant-in-capite still remained a matter of composition between the crown and the payer. This indefiniteness was at last remedied by the second clause

of the Magna Charta, which decreed that a hundred pounds should be the limit of the relief in the cases of earls and barons.

Another incident, only less important, than the relief was the fine on alienation. It followed from the nature of feudalism that the relation between the grantor and the grantee of a fief could not be dissolved without the consent of both. Hence if the lord disposed of his estate, the tenants intimated their assent to such a transfer and accepted their new lord by what was called attornment. And when they in their turn wished to alienate, they had to pay a fine for leave to do so.

Besides these, there were escheats and forfeitures. A fief was said to be escheated, when it reverted to the lord after the line of the original tenant had died out. It was forfeited, when the holder failed to perform his part of the contract or was adjudged guilty of treason or felony. The fourth class of feudal incidents consisted of aids, which were at first numerous and oppressive, but were restricted by the Magna Charta to the three occasions of knighting the lord's eldest son, marrying his eldest daughter and redeeming his person out of captivity.

The last and probably the most iniquitous of these devices for taxing vassals were the right of wardship and the right of marriage. By the first, the lord had the custody and guardianship of orphans of his military tenants, both in estate and person, while the second permitted him to tender to a female ward

a husband of his choosing and in case of refusal, to exact from the recalcitrant vassal as much as the would-be husband might have paid to him for his good-will and patronage. William Rufus tried to introduce another feudal incident, for which neither precedent nor equity could be pleaded. At the instance of his precious minister, Flambard, he demanded from his barons a fine for license to marry their daughters. But this prerogative was never generally recognized, and was expressly repudiated by Stephen in his charter of 1136.

"The feudal relation was entered on with three distinct processes or ceremonies,—homage, fealty and investiture. The act of homage by which the vassal put himself in the hands of his lord as his man, homo, consisted in placing his hands between the hands of his lord with the words, 'Devenio vester homo'. He knelt down unarmed, belt ungirt, sword and spurs removed and placing his hands so, promised to become his man henceforward and to serve him with life and limb and worldly honour faithfully and loyally in consideration of the lands he held of him. The act of homage concluded with a kiss. It could be paid only to the lord in person. The act of fealty consisted in an oath of fidelity to the lord: it might be done by proxy. The act of investiture was of two kinds, proper or improper: in proper investiture, the lord actually put the vassal into possession of the land by livery of seisin ; in the improper, it

was done in some symbolic way, as the presenting of a clod or turf or a branch or a stone."

Akin to the military tenure were the two varieties of improper feuds known as grand sergeanty or tenure per magnum servitum and petit sergeanty. In the former, the vassal held his fief under an obligation to do some special and honourable service to the sovereign, as for example, to carry his banner or sword or to be his butler or chamberlain at the coronation. In petit sergeanty, the consideration was a meaner service as that of forester, cook or goldsmith. Besides this, the tenant bound himself to render by way of tribute to his royal master some small weapon of war, as a bow or a sword or a lance. In both of these grants, the value of the service rendered was out of all proportion to the benefit conferred on the grantee ; and they were, therefore, liberally resorted to by the Tudors and the Stuarts for rewarding courtly favourites and powerful ministers.

These were the types of tenure under which the nobility of England held their estates in the Middle Ages. There were others less dignified, but more ancient in their origin,—relics of a distant past, which managed to live on under cover of feudalism. Of these, two only deserve to be mentioned here *viz.*,—socage and villeinage. The status of the socman or free tenant was by the terms of his tenure independent and safe. He owed, it is true, suit and service to his lord, and he paid a quit-rent, not as now trivial, but hardly less than the annual value of the

land. But he was a farmer at a perpetual lease, and in the best days of the feudal period, secure of enjoying the full benefit of all additions which his labour could make to the permanent value of his farm. He was, in fact, better off in many ways than the great man to whom he was subordinated. "He was liable to no wardship and its concomitant waste, he was unrestrained in the disposition of his property and in his parental authority, in the selection of occupations for his sons and the gift of his daughter's hand." Among special types of socage may be mentioned burgage tenure, in which lands which were formerly the site of houses in an ancient borough were held of some lord at a fixed rent, and gavelkind, which was in evidence in Kent, and the distinguishing features of which were that the tenant could devise the lands so held by will and that in cases of intestacy, they descended to all the sons equally.

The influence of feudalism on villeinage deserves a careful study, and it is necessary for this purpose to separate the effects of foreign domination from those which may be justly ascribed to the new system of tenure. It is remarkable that the villeins lost ground for some time after its introduction, but that they won back many of their ancient rights and privileges before its decline. This recovery has not been adequately explained in some of the text-books on the subject. And due weight has not been always attached to the fact that whatever its cause or causes

might have been, it was at least compatible with the character of feudal society.

This society was mainly agricultural in the sense that field labour constituted the chief source of its wealth and was the occupation of the bulk of the population. But its economic importance did not assure to the workers even the ordinary rights and privileges of freemen. They were in the vast majority of cases merely agents of production and were, as such, attached to the soil, so that the labourer and his field were inseparable. His servile or semi-servile condition was not, indeed, a necessary corollary to feudal principles. Feudalism found him in this state, as we have already seen. But it recognized his degradation as advantageous and, therefore, sought to give definiteness and fixity to it.

It has been said that servitude was the badge of all but the highest under the feudal system. Great lords rendered menial service at court on state occasions, and they expected to be similarly served by the gentlemen who held land under them. Such service however, was not held to be degrading, since it typified the close personal relation between landlord and tenant, which was a feature of the feudal system. When under it the owner of the eminent domain granted the usufruct of an estate to a man, the latter became his vassal by the terms of the grant and was thenceforth pledged to regard him as his lord. So at the apex of feudal society was the king, who was theoretically the proprietor of all land in

the kingdom ; and below him, there was a heirarchy composed of various classes, each of which held land from and, therefore, owed fidelity and obedience to the class just above it. But the peasants were, strictly speaking, outside this arrangement, for the feudal relation was established by means of a contract and could, therefore, be entered into only by free agents, which the peasants were not in the eye of the law. So the creation of feuds took place over the heads of these unfortunate men, who, as bound to the soil and sharing its fate, were looked upon as appurtenances rather than as human beings.

The essence of the feudal relation was the obligation to render military service. A feudal state was, therefore, an elaborate organisation for purposes of defence and attack, which could be converted at short notice into a well-appointed army with its full complement of officers. The monarch became the generalissimo, and the tenants-in-capite, captains who not only commanded but raised and equipped their contingents. These contingents, again, were composed of the mesne lords and the tenants paravail and their followers. It is true that even before the Conquest, the duty of assisting the king on the field of battle in proportion to their resources had been recognized by holders of real property. But feudalism made such assistance the first condition of the landholder's title. He was an officer settled on the land rather than its proprietor, for the fief was created to enable him to perform his military duties properly.

And with the same object, he was invested with large powers over those who held under him. Thus, as Pollock observes, "feudalism was the complete association of territorial with personal dependence and of both with definite rights and duties of jurisdiction."

The nature of the consideration for which a fief was created dictated certain restrants on the holder's right to deal with it as he liked. His tenure was, strictly speaking, the possession of 'a post of defence and an office of command', which he had been called upon to fill in consideration of his personal fitness. Hence there could be no excuse for perfect freedom of alienation, and when he did alienate his property, the power of doing so was regarded as having been delegated to him by his feudal superior. Testamentary disposition of a fief was for the same reason repugnant to feudal principles. And even inheritance by descent was not allowed except where there was an explicit mention of heirs in the original grant and the heir was prepared to pay the price of his acceptance by the lord.

The law of intestate succession was, moreover, modified to suit the exigencies of this military tenure. Under it, the eldest son took the whole of the land of a deceased tenant, to the exclusion of younger sons and daughters. This rule of primogeniture was not an original custom of the barbarians who overthrew the Roman empire and among whom the feudal system was born. Nor was it borrowed from the Roman law, according to which each of the

children of the deceased took an equal share of his real property, when the succession was ab intestato. It was adopted because the eldest son of a tenant was in most instances better able than his younger brothers to perform those services which were expected by the grantor of the estate. He had an exceptional position not because he was believed to have superior rights to the paternal property, but because he was taken to be better fitted for the performance of exceptional duties. His title, therefore, was widely different from that of the heir of a modern landlord, who owes no future services to the state which guarantees succession to him.

The feudal system was forced on the conquerors of Western Europe by the exigencies of war and conquest, and it bore, therefore, on every feature the indelible impress of the need in which it originated. Attention has been often drawn to some of its characteristics to the exclusion of others. But if we go beyond the details, we shall find that the cohesive principle, of which it was the expression, meant no less than the general surrender of liberty for the sake of securing military efficiency. Society as transformed by this principle ceased to be composed of a number of more or less independent classes bound to one another by common interests and mutual helpfulness. Each section acquired, on the other hand, an actual hold on the one which was just below it, so that the entire social structure became an elaborate scheme of subordination calculated to further the warlike policy

of the ruler. The rank, rights and privileges of even the greatest nobles were the incidents of the solemn pledge of fealty and obedience that they had given to their lord. They forfeited all when they broke it. So feudalism was in a very real sense based on servitude. And when we describe the villeins as bondsmen, we should bear in mind that many of the restraints imposed on them had their analogue in the relation of the tenant-in-capite to the sovereign.

The feudal organisation compares, therefore, unfavourably with the society of allodiasts which it superseded. But it gave currency to a new conception of property in land which had its merits. Under the earlier system, landed property was the birth-right of every freeman, and it was associated with valuable privileges. Feudalism, on the other hand, affixed to it definite duties, so that its possession came to be a visible symbol of an obligation to serve.

Such was the feudal system in its original form. The holder of real property under it was indebted to no family law for his possession. But he had heavy responsibilities towards his chief. His life, therefore, was often one of incessant toil and worry, and "the younger brother who entered a monastery or turned soldier of fortune had perhaps little cause to envy the lord of several castles, whose revenues paid in kind were devoured by hungry and turbulent retainers." The military service that was expected of him was by itself sufficiently heavy, as may be inferred from the fact that the feudal lords were bound

in the days of the Conqueror to place on the field if required a well-armed force of about five thousand knights. But to this obligation were attached, as almost inseparable from it, the duties of an administrator. And from the beginning of the thirteenth century, if not earlier, he was subjected to the payment of a number of special taxes in consideration of the fief which he enjoyed. Thus feudal property became as last ownership of land of a complicated type, saddled with periodical and occasional burdens.

The feudal organisation was not directly favourable to agricultural development. On the other hand, it fostered an inordinate passion for war and the chase as a necessary preparation, which was a standing menace to peace and industry and therefore to prosperity. Further, by converting the best part of the nation into an efficient army capable of taking the field at short notice, it enabled ambitious monarchs to engage in needless and costly wars. And it gave currency to a false and mischievous warrant of precedence in which the professional soldier occupied the highest place, while the lowest was assigned to the tiller of the soil. The result was that agriculture remained the business of the mean, the feeble and the stupid. The system, therefore, though it was based on a kind of land tenure, failed to ensure the best use of the land. But it is unfair to judge it without reference to the circumstances in which it had its origin and the difficulties which it was expected to overcome. In the Dark Age in which

it was evolved, the pressing question for the rulers of Western Europe was how to retain possession of what had been won. They had to face at every step the hostility of the conquered and to check occasionally the onrush of fresh hordes of barbarians. Their first object was, therefore, not economic improvement, but the effective defence of their possessions. And the feudal system of tenure served this purpose fairly well.

But in attaining this object, it also indirectly benefited agriculture and improved the lot of the agriculturists. The strong central government which it created in England was capable of protecting them from domestic tyranny and foreign aggression. The first Norman rulers were, it is true, sufficiently disposed to oppress the peasants when it suited their purpose. But they could at the same time maintain order and law and check the cupidity and lawless spirit of petty despots. And in this respect, even the supercilious contempt for all sorts of productive labour, which was inculcated in the higher classes by the system, proved a blessing, for their proud detachment allowed the humble cultivators to manage their own affairs and to recover the ground which had been lost. Feudalism thus did more good than harm. I cannot on any other supposition account for the satisfactory progress that was in evidence in the thirteenth century. There were, no doubt, a few favourable circumstances. But by themselves, they could not have brought about such an amelioration,

if lawlessness and grinding tyranny had continued to depress the industry.

This system of land tenure improved also the material condition of the higher classes by its efficiency as a political organisation. The military service which they were bound to render formed the heaviest part of the consideration which they paid for the enjoyment of their fiefs, as it involved the equipment and maintenance of a certain number of armed retainers during times of national danger. But after the establishment of peace and order in the kingdom, the occasions for demanding such military service decreased. There were, in consequence, fewer instances of such a dislocation of husbandry as must have been caused in a period of industrial inefficiency by the commandeering of horses and cattle and the drafting of a large number of able-bodied men to temporary military service. But what was probably more important was the relief which comparative tranquillity brought to the tenants-in-capite and to those who held under them. It operated like a material decrease in a heavy land tax and so added to their resources. They were thus able to increase their expenditure, and the manner in which they spent the additional income gave a fillip to industry and trade.

The feudal system, therefore, was on the whole a blessing to the land. It brought about a decided improvement in the material condition of the people in spite of its patent defects as an economic organisa-

tion. Much of this salutary influence was due to the modifications which were introduced by the Conqueror to prevent or correct the evils which he had noticed in continental feudalism. He did not allot more than a county to any of his vassals, and even in the largest fiefs he maintained his own authority through the sheriff, who was invested with considerable real power. He retained also such Saxon institutions as might act as a counterpoise to the mischievous centrifugal tendency of the military tenure. He could not, of course, refuse territorial jurisdiction to his vassals ; but he upheld the native Hundred Court and the institution of Franc-pledge as a check on their political power. The most decisive step, however, that he took in this direction was the exaction from mesne lords of an oath of allegiance to himself, which was to be kept inviolate even when it proved inconsistent with their duties to their immediate superiors. This measure gave him effective control over the military resources of the land and at the same time protected the country from the evils of baronial anarchy. It also paved the way for the determination of feudal rights and duties by the king's courts and for the incorporation of ancient customs into the laws of the land. Thus "feudalism in England tended to settle into a kind of compromise between the rules appropriate to military tenures and such as would allow some tolerable convenience of agricultural occupation and peaceful commerce".

While feudalism was modified in the course of

its naturalization by Saxon customs relating to property in land, it modified them in its turn in certain important respects. Before its introduction, succession to socage lands was governed by the principle known as gavelkind. Gavelkind held its own for some time against primogeniture, which was the rule in the case of military tenures. But it was at last confined to the single county of Kent, and even there came to be looked upon as a survival of an almost extinct institution. The incident called relief, which could be properly claimed only from heirs to fiefs, was demanded from other classes of tenants, and even primer seisin was exacted, if they held directly of the Crown. They were also required to pay the usual feudal aids, though there was nothing in the history of their tenancies that could justify the extension of this liability to them. In one respect, however, they continued to enjoy a very desirable immunity. "The guardain in socage was not the lord, but the nearest of kin to the heir among those to whom the land could not possibly descend ; the wardship lasted only till the heir was fourteen years old, and the guardian was accountable".

There is no evidence to show that the tillers of the soil were materially injured by the introduction of feudalism. There are, on the other hand, reasons for thinking that even those peasants who could plead nothing but custom in support of the permanence of their tenure and the fixity of their rents were in many instances left undisturbed in the enjoyment of their

privileges. It is also likely that where they had rights of user over the commons, their prescriptive claim was not ignored or whittled down. But feudalism dealt in a different fashion with the national possession and the higher classes of tenancies. The distinction between estates which had been assigned to the king for the maintenance of his dignity and the land which, though nominally belonging to the Crown, had remained unappropriated, was done away with, and the king's right to dispose of both in any way that he liked was emphatically declared. This extended *terra regis* was divided into 1422 manors and let by the king at the highest rate to farmers, who were allowed to rob the people in consideration of the heavy fine which they paid to him. Boc-land belonging to the laity had a similar fate. Many of the owners had fought for Harold and so were held to have forfeited all claim to their possessions, which were transferred to Norman vassals on their undertaking to render military service. The property of the Church was, however, generally spared, though to save the credit of the feudal theory, it was henceforth regarded as held on condition of spiritual service to be rendered to the supposed grantor and his heirs.

But the effects of the introduction of feudalism should be distinguished from the consequences of those measures of the Norman kings which were prompted by vindictiveness or avarice or a supreme disregard for the feelings of the conquered. There

was much local suffering when William laid waste Yorkshire as a punishment for the desperate effort made by its inhabitants to shake off the foreign yoke. Similar distress was caused when large tracts of arable land in the south were converted into extensive forests for the pastime of the royal hunter.* Much misery was also due to the frequent wars of William and his sons and to the havoc caused by their tours, during which their lawless followers took from the people what they liked and recklessly destroyed what they did not want. The people were too weak to prevent such acts of spoliation or to check the grasping avarice of the farmers of the royal demesnes, and the king was not disposed to interfere in their favour. Nor was his peace yet sufficiently

* Even after the lapse of a couple of centuries, the chronicler spoke with considerable feeling of the misery caused by the heartlessness of the Conqueror,

Vor he caste out of house and hom of men a gret route,
And binom her lond, ze thritti mile and more ther-aboute,
And made it al forest and lese the bestes uor to fede.
Of pouere men deserited he nom lutel hede—Robert of Gloucester's Chronicle

Of the poverty caused by his extravagance at court and during his tours, the same writer observes,—

Thulke festes he wolde holde so nobliche
With so gret prute and wast and so richliche,
That wonder it was wenene it come ac to susteini such nobleye.
He destruede that pouere folc and nom of hom is preye,
So that he was riche himself and that lond pouere al out.

well established to protect them from the tyranny of the French nobles, who either could not or would not understand their ancient rights and privileges.

The first century of Norman rule was, therefore, a period of great suffering, and the agriculturists had more than their fair share of it. But it was not the effect of the new system of land tenure, nor was it without compensation. For the political and dynastic relations of the new rulers with the Continent destroyed the isolation of the island. Foreign commerce came in the wake of foreign wars and treaties, and thus a stimulus was given to industry and trade. Their small beginnings are full of interest, because they were soon to provide an escape from the monotony and degradation of the peasant's life. But the new land tenure could not have exercised any direct influence on them. Its influence, however, on agriculture was probably beneficial even in this period of trouble and unrest. It could not, of course, prevent at once isolated acts of tyranny or even wholesale spoliation, for it had adopted as one of its principles that the peasants had no rights as against their lords. But it was able gradually and imperceptibly to moderate the fierce spirit of exaction of the new aristocracy, because it did not recognize the liability to enhancement of the consideration which had to be paid for the possession of land. The protection which it thus accorded to the nobles came in course of time to be extended to their dependants. Custom is said to have assured to them

permanence of tenure and fixedness of rent. But probably this custom itself is to be interpreted in the manner here suggested. There was, no doubt, the tradition of fixed charges. But like many other things, it would have been completely lost in this period of disturbance, had it not found a sure ally in the principles of feudalism.

This support was, however, far from being much in evidence in the first century of Norman rule, during the greater part of which the lower classes were thoroughly miserable. Their troubles arose from a variety of causes. The lawless followers of the king pounced like harpies on particular districts and carried away all that they could lay their hands on. Moneyers robbed the realm by the issue of false coins and brought it to the verge of bankruptcy, which the state tried to avoid by enhanced taxation. Famine, flood and pestilence added to the misery of the unfortunate people. And the measure of their distress was completed by the heartlessness of the French barons, who often arbitrarily increased the due of labour and made the peasants work for four or even five days in the week on the demesne lands and sometimes took them away from their holdings and entrusted them with others, which they had to reclaim from a state of nature.

Some attempt at reform was made by Henry I,*

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* It is recorded that on a certain occasion, when Henry I was about to cross the sea to put down insurrections in his

though he systematically disregarded the complaint of grinding taxation. But the anarchy which followed on his death injured once more the cause of the socagers and the villeins. The royal power could not extend to them effective protection against tyranny during the troubled reign of Stephen, when England all but lapsed into political dismemberment. Government and law were restored, indeed, by Henry II ; but he had to set a limit to the sphere of his activity, in order that within that sphere he might act efficiently. The very growth of the system of royal writs necessitated the drawing of a sharp line between the people allowed to use them and those excluded from this benefit. Thus the extension of the royal jurisdiction over all classes of freeholders was counter-balanced by an almost complete surrender of it with regard to the villeins.

The term *villein* was at this time used comprehensively to denote various classes of cultivators, who were bound to render in return for their holdings prædial services that were accounted base and were sometimes uncertain. Thus among them were the descendants of the Saxon theows who had come with the Arimanni from the father-land and

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continental dominions, a large number of villeins came to him and said that they were being ruined by those who had been commissioned to collect provisions. On this the king appointed the best men he could find to visit every manor; and they made the sheriff of each county responsible for the total amount payable by the manors in it.

had in course of time acquired a sort of interest in the land on which they were employed. There were also the wealhs or representatives of the degraded Celts, who now cultivated as bondsmen the holdings which had once belonged to their ancestors. As might be expected, they were more numerous in the west, where the process of settlement had not been accompanied by an almost complete extermination of the original inhabitants. These two classes formed the lowest section of the rural population ; but their ranks were swelled after the Norman conquest by the degradation of those Saxons, who proved incurably hostile to the Norman invaders. The taint of rebellion or of stubborn resistance to the conquerors clung to them ; and so their political subordination was in theory at least quite as complete as their economic dependence. They were at the mercy of the master in everything short of life and limb. Their holdings were precarious and subject to uncertain charges. They could acquire no property and could not free themselves by surrendering all that they possessed. Their master's hand was felt even in the determination of their domestic relations. For they could not marry without his permission, and they had to select wives from among those who were subject to his authority. And on the occasion of a daughter's marriage, they had to pay a fine (merchet) for permission to deprive him of a slave. They could not quit their holdings or seek a different sphere of work for their sons, but were

themselves liable to ejectment. Lastly their tenure was such that they were bound to do "of villein service whatever was commanded them, and they might not know at night-fall what they must do on the morrow and were ever held to uncertain dues."

Thus these unfortunate men were in the eye of the law tied to the soil so long as it pleased their master to keep them there. They were, moreover, taxable at his will and amenable in all human concerns to his control. Thraldom could not go farther than this ; and it is mere legal pedantry to try to distinguish between servitude like theirs and unmitigated slavery. But there are reasons for thinking that they were not, except in the worst days of Norman rule, so badly off as one would conclude from the definition of their status by Norman lawyers. The mere fact that they came to be classed with a higher section of cultivators to whom the title *villein* belonged shows that the line between them was not everywhere clearly drawn. The confusion was due, no doubt, to the supercilious refusal of the conquerors to recognize in theory at least the possession of any rights and privileges on the part of the higher class that might seem to contravene or limit their claim to absolute authority over it. The territorial jurisdiction which had been conceded to them at the introduction of the feudal system made such an assertion of their pretended right a comparatively easy matter. For the injured peasants could not possibly look for protection to the manorial courts, where short work

was made by their masters of prescriptive titles and ancient customs. The agglomeration was, therefore, due more to the degradation of the higher class than to a decided improvement in the status of the lower. But it is a matter of common experience that when there is such a fusion, the inferior class almost invariably gains in spite of the apparent degradation of the other to its low level. The reason is that old traditions are seldom completely destroyed, and that when at the first favourable opportunity they assert themselves, they come to be extended even to those members of the new class to whom they did not originally belong. That there was such an extension of rights and indulgences in the present case is suggested by the obvious inconsistency between the legal status of these villeins which was taken from the degraded condition of serfs and the rights and privileges which, according to the manorial records, they enjoyed in this period.

The upward movement of the servi was assisted, I believe, by the steady increase of population under Henry I. and Henry II. For though they were, as Bracton observes, held to uncertain dues, yet the agrarian economy of the period and the standard of comfort that obtained among their masters imposed narrow limits on the desirability of increasing the payments and services that were exacted from them. The demesne farm required a certain amount of labour for proper cultivation, and so the increase in the number of labourers might have led to a pro-

portionate lightening of the burden on each of them. Similarly there was a more or less definite amount of work to be done in the manorial hall ; and it is, therefore, likely that with the increase of the dependent population, the services that were required of each individual ceased to be as exacting as they had once been. The payments, again, were generally in kind and consisted of poultry, eggs and cloth. But the local demand for them was beyond a certain limit inelastic, and facilities for disposing of the surplus in the way of trade were for some time absent. So though the servi were taillable at the will of their master, that will was probably seldom exercised to their prejudice in this period. On the other hand, there was in all likelihood a progressive moderation of the taxation to which they were subject.

It can not be said, however, that all distinction between the two classes of peasants was obliterated, though they drew so close to each other as to make the line of demarcation between them shifting and indistinct. The approximation was as a matter of fact closer in respect of economic condition than of political status, for the privileged villeins were free men as regards the criminal law and were entitled to serve as jurors in the halimote. The distinction is sometimes indicated by saying that they were often personally free though their tenure was servile. But this freedom must be understood in a very restricted sense, when it is attributed to persons who were

chained to the soil and debarred from the privilege of seeking a new master. The truth is that the stamp of an ignoble origin or an inexpiable offence was not attached to them in consideration of the fact that they were descendants of men who had not forfeited their liberty but had only bartered it to avoid starvation or to purchase immunity from injury or had been wheedled out of it by powerful and ambitious neighbours. Even the Norman lawyers, who aimed at ideal simplicity in respect of the status and tenure of dependent cultivators, could not be blind to their history and origin, though they emphatically asserted that the villein could have no right as against his lord.

The distinction to which these jurists bore unwilling testimony* disappeared in course of time. But a new set of circumstances brought about a sensible improvement in the status and economic condition of the entire class. The Norman barons found it necessary to resist by armed force the tyranny and illegal exactions of the successors of Henry II. And in this struggle with their sovereigns, they received invaluable assistance from the socagers and the villeins. They had no right to it even according

* Two classes of villeins are mentioned, *viz.*, villeins in gross (serfs de corps), who could not free themselves even by giving up their lands, and villeins regardant (serfs d' heritage), who were able to liberate themselves by surrendering their property. Bracton refers to this distinction when he says that of villeinage, 'some is mere and other privileged'.

to feudal principles, for the modified feudalism which had been introduced by the Conqueror had exonerated every one from the obligation of supporting his master against the supreme authority. They, therefore, prized all the more the fidelity and support of the peasants ; and with such appreciation, there was a change in the sentiments with which these were regarded and in the treatment which was accorded to them. In fact, the two classes, between which there seemed to be an impassable gulf, drew near to each other on finding that limited taxation and some check on the irresponsible power of the crowned despot were needed by both of them. Thenceforth the Saxon's tradition of an original state of freedom as preserved in the constitution of the Hundred Court and the Frank Pledge could not be entirely ignored.

This upward movement was facilitated by the presence among the villeins of a more respectable class, which had been wantonly robbed of freedom and security almost within living memory. There were tenants on the crown demesnes and probably also on other estates, whose ancestors had before the Conquest held by free services, but whose tenure had been declared servile by the new rulers without any kind of excuse. There were others, again, who, though they were freeholders in respect of their hereditary possessions, held other lands by bond service, for according to the accepted theory of tenure, serf land created serfs. But even the pride of the dominant race could not long be blind to the

iniquity of treating these respectable men as human chattels. So the prædial services which they owed on account of their base holdings came to be fixed. They were also permitted to render these services by deputies. And these important concessions were gradually extended to others who could not claim them on the ground of status or wealth. They passed thus after a friendly agreement with their lords from the low level of taillables a merci (people who could be taxed at will) to the higher rank of taillables abounes (people who were subject to certain dues). Their old rights and privileges, which had been for some time in abeyance, came to be recognized as valid by prescription, though the law with characteristic narrowness still refused to sanction them.

This amelioration in the condition of the peasantry has been attributed by some to custom. But custom is a conservative principle, and though it may successfully maintain an improvement after it has been made, it can not account for the genesis of that improvement. If, therefore, it is suggested that old customs asserted themselves after a period of abeyance, this revival itself was a phenomenon which has to be explained. It was due in part to the fact that the landlords were saddled with important duties of administration, for a proper performance of which they had to depend on the co-operation of their tenants. It was due also to the apparent divergence of the interests of the Crown and the barons and to the need which was

experienced by the latter of alliance with the people.

There is, however, an element of truth in the observation that the peasants owed their liberation to custom. The alliance between them and the nobles was short-lived, as the need for it disappeared under the strong rule of Edward I. But the upward movement, which began in consequence of it, went on even after its cessation. For the continued operation of this uplifting tendency, an explanation has to be sought, and it is found in the peculiar nature of Mediæval customs. Customs do not grow very readily in modern societies, because they possess an elaborate machinery for interpreting the law and defining the rights and relations that are sanctioned by it. The press also is an obstructive force, because it preserves the memory of the past and thus gives the right perspective to every new system or institution. But these did not exist in the Middle Ages, and so people had to trust more to tradition and less to written records. Consequently though innovations were comparatively rare, yet they acquired the binding force of customs within an incredibly short space of time.

It should be observed also that the progress to which I have referred was kept up to a great extent by the active benevolence of the Church. A large number of monasteries were founded and endowed by the Norman conquerors ; and the establishment of these religious houses was almost invariably followed by the emancipation of serfs. The good

that was thus done was, of course, local and limited ; and long years elapsed before such isolated and random acts of charity produced their due effect on the minds of the lay landlords. But at any rate the iniquitous principle that the proprietor was at liberty to do what he liked with his tenants was tacitly and generally abandoned by the end of the twelfth century. In the thirteenth, the peasant knew exactly on what days he had to appear on the demesne lands to assist at ploughing and reaping and how many loads he was bound to carry. Moreover, the manorial rolls of the period refer in many cases not only to the duties of the peasantry, but also to those of the landlords. And the minute care with which the payments and services which were due from the peasants is recorded shows clearly that the lords could claim only the stipulated amount of labour and money from their tenants. This salutary change was one of the greatest revolutions in English history, as it indicated also the fusion of the two races and the triumph of religion over the brutality of the Dark Age.

The view has sometimes been expressed that even in the thirteenth century, the villeins were merely agricultural wage-earners, who were paid for their services on the home-farm by allotments out of the lord's estate. And it can not be denied that there was much in their relations to him which seems to be quite in keeping with this view. Their tenure was still in theory precarious ; and they had to give a considerable portion of their time and the days best

suited to agricultural operations, to the performance of prædial services on his fields. Still, whatever the theory might have been, many of them were in the position of privileged tenants, who were protected by custom in the enjoyment of their holdings, so long as they paid their dues. Moreover, they owed to their masters what are known as prestations ; and these payments can in no way be reconciled with the theory that they were merely labourers. But the truth is that the economic concepts of rent and wage cannot with propriety be applied to determine their status. They were cultivators, not because they had taken their lands on lease for a definite consideration, nor because they had been hired to work on the demesne lands, but because the incident of birth had chained them to the soil and prevented them from taking up any other occupation. There was no free contract and no room for competition in the case. They were still in a sense appurtenances of the manor on which they lived.

But what was the manor? The answer is easily found in the records of the thirteenth century, which present a clear and detailed picture of its farm industries and of the intricate network of its arrangements. We learn from them that it was a lord's estate with a township or village community on it.*

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* In the middle of the thirteenth century, the entire arable area was divided into manors, averaging about 5000 acres in extent. Ninety per cent. of the inhabitants of the country lived

A part of the estate was appropriated to the use of the lord and cultivated partly by a number of labourers who had no share in the arable land and who lived on his demesne or in crofts near it. Besides these, there were villeins, freeholders and manorial servants in every manor. The entire population was grouped into a commune which was administered by the manorial court or halimote. The labour on the terra dominicalis (demesne lands) was supervised, and peace and order were maintained by a set of manorial officers under the control of the lord's steward or bailiff. But the government was not quite autocratic or rather ceased to be such in the thirteenth century, though every important regulation had the successful working of the home-farm in view.

The freeholders in the village were really outside the labour organisation. They might have occasionally supervised the work on the home-farm ; but the landlord could never depend on their assistance. A quit rent was all that he could justly claim from them for the lands that they held. And though they had to serve as judges in the Court Baron, no question relating to their freehold could be decided in it without a special authority from the monarch. Moreover, an appeal lay from such decisions to his courts. Their title to their estates was therefore perfectly secure.

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in these manors, and the majority of them were villeins and their dependants.

They possessed also the valuable right of sale. Still they were subject to certain vexatious restraints and humiliating obligations. They could not devise their property by will, and it escheated to the lord on failure of heirs. He had also the right to distrain on their lands and to seize or sell their cattle if their rent was in arrears. They could be called on occasionally to serve in certain capacities at his residence ; and on the three occasions of holding courts, they had to pay a small sum as acknowledgment of their tenure to his bailiff. Moreover, they were perpetually open to supervision in reference to the conduct of their guests and dependants.

We have seen that in the thirteenth century, the villeins won back privileges which, though they lacked the sanction of the law, were generally recognized by morality and custom. They remained, it is true, subject to certain mischievous constraints, which spoke of the day when the struggle between them and their masters was no mere class contest, but an inter-racial one. Such, for instance, were the sumptuary laws and the seignorial control over the choice of occupation and the seignorial demand for a pledge of good conduct. But there was much in the altered relations to show that the yawning chasm between the conquerors and the conquered was being slowly bridged by goodwill and mutual confidence. A foreman (præpositus) elected in each manor by the once despised class watched over its interests and represented it in all transactions with the lord.

And he was hardly a less important person than the bailiff or the hayward. Again, from it, as from among the freeholders was chosen the jury whose verdit was final in all cases between tenant and tenant or between tenant and proprietor. But much more valuable than these constitutional checks on local despotism was the right of hereditary succession, which was tacitly conceded throughout the length and breadth of the land. It gave the villeins a substantial stake in the country which was the scene of their labours and to which they were chained by the incident of birth.

The typical holding of a villein was a yardland or virgate, *i.e.* an area of thirty acres of arable land,* and it was probably as much as the average freeholder possessed for himself. It consisted of a multitude of narrow strips, "scattered about on all sides of the township, one in this furlong and another in that, as though some one blindfold had thrown them about on all sides." By the terms of his tenure, he was bound to adhere to the customary mode of tillage, to abstain from felling timber on the lands that he occupied and to keep the hedges and ditches in good order. If he was put in possession at Michael-

* But it appears from an anonymous work on husbandry, which was written in the early years of the thirteenth century that the acre varied in size, "for in some countries they measure by the perch of eighteen feet and in some by the perch of twenty feet and in some by the perch of twenty two feet and in some by the perch of twenty four feet".

mas, he got besides the usual stock of a couple of oxen, a cow and half a dozen sheep, about seven acres of land ready sown. The services that he was expected to render in return for the use of the land and the capital were well-defined, though they were often greater than could be fairly demanded. They included work on the demesne land for three days in the week from Michaelmas to the first day of August and twenty four days' labour during the rest of the year. His duties at any particular time were determined by the agricultural requirements of the season, for there was no sort of farm-work in which he was not expected to assist. He had to plough with his own team four acres of the lord's land and sometimes to provide seed for it. He had to cart manure and to take his part in weeding and mowing the lord's meadow and in cutting and making the hay. He was also bound to help in the guarding and rearing of his lord's sheep and in the gathering of the harvest. At harvest, his obligations were particularly onerous, for he had to bring every member of his family except his wife and grown-up daughters to the demesne lands, though there was much to be done at the time on his own holding. But this was not all. The various kinds of agricultural service that he had to render could not be finished even by working for three days in the week on the lord's farm. So, besides the regular week-work, he had to do boon-work or special work at request (precariæ) in busy seasons, when he was generally fed by his

master. And over and above these labour-dues, he owed prestations or offerings of pigs, poultry and eggs, which were demanded at Christmas, Easter, Martinmas and Michaelmas ; and where cash payments were in vogue, he had to bear his share of the lord's taxes in the firm of church-shot and tallage or scutage.

The judicial and executive powers of the lord were exercised through the court baron and the customary court, which took cognizance of criminal as well as civil cases, and performed certain important administrative duties. The first had jurisdiction over the freeholders, who sat also as judges in it, while the lord's bailiff registered the plaints and recorded the decisions. The jurisdiction of the second extended over all whose tenure was base, and the villeins acted as jurors in it under the presidency of the bailiff, who had the powers of a judge. The popular element in these courts was powerful in the thirteenth century. Besides, they were in almost permanant session in this period and they controlled more or less all the domestic and financial relations of the inhabitants.

There were still in certain parts of the country a few servi, who ranked, of course, below the villeins and the cottiers. But their number was dwindling very fast, and they are only rarely noticed in the later cartularies. The upward movement which has been already described led to the absorption of some of them in the cottier class, while others were per-

mitted to live as wage-earners on the lord's demesne. It was mainly through ecclesiastical agency that they were able to obtain their enfranchisement. Even so early as the eleventh century, the voice of Christian ministers had been raised in unqualified condemnation of slavery. The great Council of Westminster had interdicted the nefarious trade of selling men like beasts, and soon after a bull had been issued by the Pope recommending the manumission of slaves. Inspired by it, the vengeance of the Church swiftly overtook every outrageous act of inhumanity to them. "But more powerful than the thunders either of Westminster or of Rome was the still, small voice of conscience, which made itself heard on the death-bed. When life was ebbing fast, and all personal interest in and necessity for the slave was at an end, 'temporal men by reason of that terror in their conscience' were glad to obey the behests of the church and manumit their slaves." While this work of emancipation, by which some of the servi rose at once to freedom, was going on, the Church lent a helping hand also to others less fortunate by placing a qualified liberty within their reach. The family lawyers of the nobles were ecclesiastics ; and where spiritual instruction failed against the obduracy and heartlessness of avarice, learned counsel proved more effective. Besides, the humanitarian efforts of the lower clergy in this matter were ably seconded by the bishops, who were among the best scholars of jurisprudence. These judges succeded in elevating a

large number of serfs by interpreting "every doubtful clause in a law and every doubtful act of a master as favourable to the weaker party."

The presence of the servi was, therefore, an exception in the manors of the thirteenth century, and the labour-force required for the proper cultivation of the demesne lands was supplied almost exclusively by the villeins and cottiers and a few servants and wage-earners. Over them were placed a number of officers, chief of whom was the seneschal. He had usually under him four or five bailiffs, each of whom was in charge of a manor. The powers of the bailiff were extensive, as he combined in himself the functions of a magistrate and of the manager of an elaborate industrial concern. He was assisted by the provost, whose duties, according to the Seneschaucie, were to oversee the work on the home farm, to look after the folds and the beasts in them and to maintain the houses, hedges and ditches in good order. He was elected and presented by the township, and he usually retained his place for a year. Then there was the hayward, who was in charge of the woods and the meadows and had besides to superintend the reaping and gathering of the harvest with a view to prevent waste and dishonest dealing. The work of these officers was checked by auditors appointed by the lord, who after a searching examination of the accounts, reported on the working of the manor.

But it does not speak well of the manorial

economy that while about half of the labour available in the township was employed on the demesne lands, which seldom covered more than a third of the entire arable area, the profits realized were generally small. The poor return was partly due, no doubt, to the drawbacks of the open-field system and to the dearth of agricultural skill and knowledge. But the chief defect lay in the character of the labour organisation. The villeins were unwilling workers, which they could not fail to be under an arrangement, that required them to give the best of their time and attention to the lord's farm instead of to the husbandry on their own holdings. There were indeed a number of officers, who supervised their work in the master's interests. But this coercion and surveillance did not improve their efficiency, though it injured their self-respect. This defect proved the ruin of the manorial system and prepared the way for the next great improvement in agrarian economy, viz., the commutation of service dues into cash payments.

The labour dues of the villeins would seem, at first sight, to have been exorbitant. But they were able to meet their obligations without serious difficulty owing to the presence of the cottiers in the village. When there was much to be done on their own holdings, so that even the grown-up son or nephew could not be spared, they hired some of these cottiers to do the work for them in the lord's fields. Still this method of vicarious performance

of their duties could not be always resorted to in the important seasons of sowing and gathering the harvests. Hence under the system, husbandry suffered as much on the holdings of the tenants as on the lord's farm. But their lot was certainly not half as hard as it had been in the preceding centuries, when they were liable to arbitrary taxation and even to ejectment at the will of the lord.

The altered relations are reflected in two important works on husbandry of the period,* which laid down rules for guidance of proprietors that would have sounded absurd in an earlier epoch. "If," says Walter of Henley, "any one comes into your court, let him be amerced by his peers ; if your conscience tells you that they have amerced him too highly, do you lessen it, so that you be not reproved here or before God." The good Bishop of Lincoln is still more explicit, when he says that the proprietor's injunction to his seneschal should be in the following strain,—"I strictly command that neither you nor any of your bailiffs under you in any way, by unlawful exactions or fear or accusations or receipt of presents or gifts, vex or hurt or ruin those who hold of me—rich or poor ; and if in any of these said ways they are by any one vexed or hurt or ruined, by fixed inquest, which I will that

* Walter of Henry's Husbandry was written in the early years of the thirteeth century, and the Seneschaucie, not later than the time of Edward I. The date of publication of Grosseteste's Rules was either 1240 or 1241.

you make.........quickly make amendment and redress."

In offering counsel like the above, Groseteste evidently credits the landlords with a law-abiding nature which was foreign to their ancestors. In another rule, he assumes that their respect for the law and for proper modes of procedure may not desert them even when they are engaged in determining their own rights as against the antagonistic rights of others. It runs thus,—'Touching your foreign lands.........buy the king's writ, to enquire by the oath of twelve freemen in each manor all the lands by their parcels, all the rents, customs, usages, services, franchises, fees and tenements, and let this be carefully and lawfully inquired into by the most loyal and wisest of the freeholders and villeins and distinctly enrolled, so that your chief seneschal may have one whole roll and you another, and let each bailiff have what belongs to his baillie. And if plaintiffs come to you for wrong that any one has done them or petitioning, first look yourself at the rolls of the manor to which the plaintiff belongs, and according to them, give answer and maintain justice."

Both William of Henley and Robert Groseteste bear testimony to the fact that the obligation of relieving distress in the manor was recognized by the lord in their time. William of Henley's observations on the subject are of a general nature, and so may be interpreted as mere counsels of perfection. But the detailed instruction of Robert leaves no

room for doubt in the matter. He takes it for granted that due provision will be made for removing the wants of the destitute in the manor, and asks the proprietor to make his own estimate of expenditure under this head at the beginning of the year. "Also see, says he, "how many quarters of corn you will spend in a week in dispensable bread, how much in alms. That is, if you spend two quarters a day, that is fourteen quarters a week, that is seven hundred and fourteen quarters a year. And if to increase your alms you spend two quarters and a half every day, that is seventeen quarters and a half in the week and in the year eight hundred and fifty-three quarters and a half." There is another passage in his work, which shows that he expected that the duty of ministering to the wants of the wretched would be taken up by the owner of the estate and not delegated to any one else. It runs thus,—"Command that your alms be faithfully gathered and kept, nor sent from the table to the grooms, nor carried out of the hall, either at supper or dinner, by good-for-nothing grooms ; but freely, discreetly and orderly, without dispute and strife, divided among the poor, sick and beggars."

This association of the ownership of land with important duties to those who lived on it was the great merit of the manorial economy. It was destroyed by the centralized government of the Tudors, so that real property came at last to be almost as free from obligations to the state or to any section of the

community as any other kind of wealth. The change was a retrograde step, for there are valid reasons for drawing a distinction between land and other forms of wealth, the acquisition of which by any one does not imply curtailment of facilities for acquiring wealth by others. But one hesitates to condemn it after taking into account all the circumstances of the time. For the responsibilities of the great had in the Middle Ages meant powers, for the due exercise of which they were only imperfectly amenable to the ruling authority. The tenants were, therefore, in so many ways dependent on the landlord, that there was nothing but the feeble barrier of custom to prevent them from being crushed by his overwhelming authority, if that authority was exercised to their detriment. But landlords can no longer be autocrats on their estates ; and if definite duties are attached to the ownership of land, there is not much likelihood in this democratic age of their being converted into instruments of oppression.

It appears, therefore, that the manorial economy had its merits as well as its defects. But quite a roseate picture is sometimes drawn of the condition of the peasantry under it, though an impartial examination of the records of the thirteenth century leaves no excuse for raptures. The great barons and prelates possessed large revenues, derived in some measure from the fines and compositions levied on their tenants, and from tolls of fairs, markets and ferries. In these and many other petty feudal dues,

they possessed an income that was not much affected by losses from murrain and bad harvests to which their agricultural profits were liable. But though no source of pecuniary gain, however small, was neglected, yet with the exception of the nobility of the first rank only a few among the proprietors were particularly flush of funds. And even those who were well-off wasted their means in ostentatious attendance and military display.

But though the resources of the feudal lords were generally inadequate to their necessities, yet the picturesque splendour of their retinue and the abundant fare of their castle-board were suggestive of happiness as contrasted with the hard lot of the dependent population that lived and laboured in the villages for them. If the church and the manor house are left out of account, "these villages consisted of filthy lath-and-plastered huts without chimneys, stairs or windows." The dark and ill-ventilated cabins stood not in rows, but in a kind of orderly disorder, each dwelling separated from its neighbours by an enclosed piece of land, its croft and loft. Cleanliness was impossible in these huts of the rudest description and in their dingy surroundings, and sanitary arrangements were conspicuous by their absence. Partly owing to this reason and partly because the inhabitants lived in winter on inadequate and unwholesome food, they were decimated each spring by filthy and contagious disease. The cattle and the sheep shared in this

respect the fate of those who tended them. As roots and artificial grasses were unknown, stock was always starved in winter, and consequently the loss of domestic animals sustained by the cultivators every year was heavy. But unsatisfactory as was this state of things, it was a decided improvement on the conditions under which had been maintained the miserable existence of their ancestors. Their livelihood, such as it was, was secured to them by the altered terms of their tenure. They were sometimes fed by the lord, when working on his demesne ; and on these occasions at least, they could depend on a sufficiency of victuals. And when misfortune or injustice deprived them of their holdings, they formed the first charge on the church or the manorial establishment.

Justice also requires the statement that the manorial organisation was found in the thirteenth century to be compatible with the growth of population and some improvement in the art of agriculture. There was a steady and appreciable rise in the value of arable land ; and corn was exported to foreign shores in years of abundant harvest, while dairy produce like butter and cheese came to be included among the staple commodities of the country. There was also an increase in the number of agricultural labourers in spite of the attractions of the woollen trade. Much of this improvement, however, was due to peace and good government, to the security granted to the cultivators and to the development

of commerce and industry.* The towns rose into importance in this period owing to the prosperity of their trade in wool and leather. Coalpits were opened in the north and the west, salt was manufactured on a large scale in the coast towns, and mines of lead and tin were successfully worked. These new industries gave employment to a growing urban population and thus created a new demand for agricultural produce. The progress, therefore, was not due in any large measure to the inherent merits of the manorial economy, and all that can be said is that it did not stand in the way of such progress.

The decline of the manorial system was almost conterminous with that of the feudal organisation, under which it had flourished. I have said that in England the feudal lord's interest in his estate was from the outset a complicated form of ownership and not a purely military tenure. It almost lost its distinctive character when Henry I permitted his vassals to purchase immunity from personal service by the payment of scutage and Henry II revived the

* Henry of Huntingdon, who lived in the latter half of the twelfth century, speaks of the trade with Germany and Flanders as considerable. Among the exports were lead, tin, fat cattle and fine wool, while the principal import was silver from the German mines. The woollen trade was in the hands of a number of Florentines, who bought wool at Stamford and shipped it.

Saxon military array in which every freeholder was bound to serve. Henceforth there was no essential difference between the military tenant's title to his fief and that of other owners of real property. And this ownership, such as it was, came to be shared between him and his tenants, when fixity of rent and certainty of possession were guaranteed to them by the custom of the thirteenth century. His proprietary right was still further modified by legislation towards the close of this period. Feudal principles had denied the son a vested interest in the fief of his father. So there was in the early years of Norman rule, no indefeasible right of inheritance even when a feud was granted to a man and the heirs male of his body. To remedy this state of things, a statute was passed in the thirteenth year of the reign of Edward I, which secured succession to estates, according to the rule of primogeniture and decreed their reversion to the donor in case of failure of issue. This enactment, which is known to history as De Donis, authorized practically a perpetual series of life-estates ; and its immediate moral and economic effects were unsatisfactory. 'Children', says Blackstone, 'grew disobedient when they knew that they could not be set aside ; farmers were ousted of their leases made by tenants in tail ;......... creditors were defrauded of their debts ; innumerable latent entails were produced to deprive purchasers of the lands they had fairly bought........... and treasons were encouraged, as estates tail were

not liable to forfeiture longer than for the tenant's life'.

The economic consequences of another act of the same reign were of a very different character. It is known as Quia Emptores and was passed in 1290, before which landlords were unable to sell any part of their possessions, though the right of qualified alienation was allowed to them, by which the buyer became the tenant of the seller and so was answerable to him alone for the services and payments which were due in respect of the alienated property.* Subinfeudation of this type was quite in keeping with feudal theory, which could not, however, permit the complete alienation of fiefs, because the establishment of personal relations was one of the objects of creating them. But experience showed that subinfeudation might easily prove a fraud on the feudal superior, for his chances of getting regularly the stipulated services and payments from his tenant depended on the probity and punctuality of

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* Before 1290, the feudal tenant who alienated the whole of his land put the new tenant in his place as regards the lord; but if he alienated a part only, the effect was to create a new and distinct tenure by sub-infeudation. Thus if the king granted a manor to Bigod, and Bigod granted a part of it to Pateshull, Bigod was tenant as regards the king and lord as regards Pateshull. Bigod remained answerable to the king for the services and dues to be rendered in respect of the whole manor, and Pateshull to Bigod in respect of the portion Bigod had granted him.—*Pollock's Land Laws.*

the under-tenants over whom he had no direct control. So it was enacted in the eighteenth year of the reign of Edward I that every freeholder other than a tenant-in-capite might dispose of his possessions or any part thereof in such a way that the buyer should hold the alienated property of the feudal lord of the seller and be liable to him and him alone for the proper performance of the services which were due in respect of it. A similar liberty was conceded in 1324 to tenants-in-capite, who were, however, required to pay a fine on the occasion of every alienation to secure a license from the monarch. So the legislation of 1290 and its extended application in 1324 destroyed the purity and consistency of the feudal system by depriving the holders of fiefs of the right of subinfeudation. But by conferring the right of sale on the owners, it brought about an approximation of feudal tenancy to the modern form of proprietorship.

While Edward I corrected in this manner the centrifugal tendency of the feudal system, he sought by other measures to impair the influence which the holders of fiefs possessed as leaders of the military force of the realm. Soon after his accession, he summoned all holders of land to the annual value of £20 to receive the honour and privileges of knighthood at his hands ; and he ordered those among them whose income from real property amounted to £30 or more to provide themselves with horse and armour. His object in adopting these measures was,

of course, to check the growing ascendancy of the barons who had given so much trouble to his father and grandfather. But whatever his object might have been, the measures improved greatly the political and social condition of the smaller freeholders.

An important political cause soon after sealed the fate of feudalism. The inefficiency of the feudal army was demonstrated at Cambus-Kenneth and at Falkirk and still more conclusively on the disastrous field of Bannockburn. Edward III with the sagacity of a man of genius profited by the lesson and changed the entire character of the army. Hired troops took the place of feudal levies ; and instead of military service, the tenants-in-capite were required to pay scutage, which provided the Crown with the means of keeping obedient and well-drilled soldiers. This altered constitution of the army reacted on society and modified the ties which existed between its different sections.

It was observed at the beginning of the chapter that the influence of feudalism was beneficial on the whole, so far as the peasants were concerned. But it simply enabled them to recover the ground which had been lost in times of trouble and disorder. There is not much reason for doubting that they had enjoyed in the best davs of Saxon rule the fixity of rent and permanence of tenure which they got back in the thirteenth century. At the same time, there is some reason for suspecting that some of the most

vexatious restraints and obligations to which they were subject owed, if not their origin, at least their fully developed form to the domination of feudal principles. The characteristic marks of servitude which Seebohm discovers in the villeinage of the thirteenth century and attributes to the peasantry of the eighth, had with one notable exception their parallels in the incidents of feudal tenure. It is not strange that the lord who had to pay relief and a fine on alienation should have demanded similar payments from the peasants who held under him, or that he insisted on the formality of a re-grant at the time of succession, when his own tenure was only a life-estate in feudal theory. Nor is it difficult to explain why he exacted merchet and forbade marriage without a license, when he knew that at his demise, his own children might have to suffer from the vexatious rules regarding wardship and marriage.

CHAPTER III

CUSTOMARY TENANCY AND MONEY ECONOMY

One of the greatest movements in the social and economic life of the thirteenth and fourteenth centuries was that towards the commutation of services for money payments. It is hardly possible to over-estimate its importance, for it profoundly affected the existing agrarian arrangements and the agrarian outlook. It completed the emancipation of the peasants, who could not be called quite free in spite of their exemption from arbitrary taxation, so long as they were liable to be hauled off for work on the demesne, while there was important work awaiting them in their own fields. It enabled the masters to dispense with the inefficient labour of men, who needed constant supervision and a liberal use of the whip to keep them to their tasks. The labourers who took their places knew very well that their continued employment depended on steady and honest work, and so they had a direct incentive to industry. It improved also the husbandry on the holdings of the villeins by allowing them to make the best possible use of their time. Thus it gave an effective stimulus to production. At the same time, it fostered the growth of friendly relations between

the peasants and their landlord, which were out of the question so long as they thought the bailiff's invigilation harsh and exacting, and the latter could not shake off the suspicion that he was being cheated by a set of dishonest men. It prepared the way for the introduction of better methods and of new industries on the demesne, which was not possible, so long as the master was encumbered by the prædial services of tenants, which could be utilised only in the traditional mode of culture. And lastly it improved the efficiency of labour by making the peasants feel that they were their own masters and by giving them the full benefit of any increase in its value.

Its influence on men's ways of thinking was more subtle, but hardly less important. The peasants who paid a quit-rent for their holdings were led to think that their status and tenure were determined not by arrangements over which they had no control, but by their decision to pay a pecuniary consideration for their possessions. The landlords, on the other hand, learnt to regard their proprietary right as absolute and to ignore the tradition of a divided ownership with those tenants who had agreed to pay a price for permission to hold their lands. This conviction was a serious menace to the social and economic equilibrium, and it bore bitter fruit ere long. But the altered relation appeared satisfactory for the time being to both parties, as it was indicative of greater freedom than they had

enjoyed in the past. Lastly it sounded the knell of custom by familiarising people to the use of a medium of exchange, which facilitated accurate comparison of the values of different kinds of labour and commodities.

The landlords, however, took advantage of their superiority to shift from their shoulders their fair share of the national charge. Both the scutage and the hidage as well as the cheriset or contribution towards the maintenance of the Church were transmitted by them under new names to the lower stratum of the community. Yet what is known of the history of the time suggests the conclusion that some margin was left under the new regime of pecuniary relations for the material progress of the peasantry.

The conditions which favoured commutation on an extensive scale deserve mention, as they constitute a clear evidence of satisfactory social and economic progress. The first condition was, of course, the ability of the peasants to produce something more than was necessary for their subsistence. The second was the existence of facilities for exchanging this surplus for money, which might be used for the payment of the quit rent. The third was the presence of an effective demand for the surplus, which came from the growing towns in the country as well as from foreign parts. And the last was an adequate supply of a suitable currency for carrying on the business of exchange. These were economic phenomena of first-rate importance, and

they indicate the remarkable advance that had been made on the state of things before the Norman conquest. The chief causes of this advance were, as already observed, the establishment of the king's peace throughout the length and breadth of the island, the let-alone policy of the soldier landlords, that, inspite of harsh regulations, permitted the peasants to improve their position, the establishment of commercial and political relations with the Continent and the growth of an industrial population in the modern sense of the term. There was constant fighting before the Conquest, but it served only to decimate the population and to upset the arrangements for production. But the victorious wars of the Norman and Angevin monarchs strengthened and probably enriched England in the long run, though they ultimately lost their Continental possessions. They destroyed at any rate the isolation of England and led to the establishment of valuable commercial relations with Flanders, France and Germany.* Flanders was the chief seat of the

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* John of Trevisa, who lived in the latter part of the fourteenth century, bears eloquent testimony to the development of England's mining industries and of her foreign commerce in the following lines,—

Again, Flaundres loveth the wolle of this lond, and Normandy the skynnes and the fellys; Gaskeyn the yre and the leed; Ireland the oor and the salt. All Europa...loveth and desyreth the whyt metayl of this lond.

textile industry, and wool from England was in great request there. She was able also to export lead, tin, fish, meat and cattle to Germany and to receive in exchange the silver of the German mines. Besides, in years of fat harvest, ships laden with corn sailed from her shores and returned with a plentiful supply of the precious metal. This prosperous trade helped the people in more ways than one. It developed the urban centres and created a constant demand in them for the produce of the country districts. And secondly it enabled Henry III, Edward I and Edward II to replenish the currency, which now found its way to remote corners of the island. Up to the time of Henry II. even the royal revenue was received partly in kind, and the rural population hardly ever touched silver. But in the closing years of the thirteenth century and still more in the fourteenth, the peasants found it possible to pay their landlords in it instead of in prædial services.

The new order, which was ushered in by the money economy, was really a death-blow to the manorial organisation. Where it was adopted, villeinage passed away never to return, and the place of the villeins was taken up by the sturdy yeomen

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Straange men that neodeth that lond wel ofte releueth; whan hongur greueth that lond al such men feedeth ; Est and west al lond knoweth haunes ryzt wel of Engelond; here schypes foondes and ofte helpeth mony londes.

of the later Middle Ages who laid the foundations of the present greatness of England. An agricultural proletariat also appeared, for the crofters and cottagers, who had so long been fed and clothed by the lord, elected now to work for wages to be paid in money.* They liked the change because it meant greater freedom. They had so long been mere appendages to the manorial machinery ; but in their new character of wage-earners, they were at liberty to work or not as they pleased. The day was not, indeed, distant, when they were to learn that they had paid a ruinous price for their liberty. But there was probably at first some improvement even in their economic condition, as they were able

* The following translation of a passage from an anonymous work on husbandry which appeared at about the same time as Walter of Henley's book shows that even in the early years of the thirteenth century labourers were at least in certain parts of the country paid in cash.

"Know that five men can well reap and bind two acres a day of each kind of corn, more or less. And where each takes two pence a day, then you must give five pence an acre, and when four take a penny—half penny a day and the fifth two pence, because he is binder, then you must give four pence for the acre. And because in many places they do not reap by the acre, one can know by the reapers and by the work done what they do.........And see then how many acres there are to reap throughout, and see if they agree with the days and pay them then, and if they account for more days than is right according to this reckoning, do not let them be paid, for it is their fault that they have not reaped the amount."

to work for substantial farmers in the neighbourhood as well as for the lord. In any case, the formation of this class is of considerable interest, because in a later epoch, it supplied the growing industries of England with a constant stream of efficient labour.

There was some improvement at the same time in the economic condition of the freeholders. It was due to the frequent alienation of manorial lands in small parcels by impecunious landlords. In the fourteenth century, a taste for foreign luxuries and for greater magnificence in dress, in ceremonies and in buildings became widely diffused among the nobility. They were consequently always in need of money ; and those whose resources were not equal to their wants sold portions of their estates to such as were willing to pay a fair price for them. The demesne lands were thus greatly reduced, while there was an appreciable increase in the holdings of substantial freeholders.

But the most significant movement of the period was that which completed the enfranchisement of the villeins. I have observed that landlords permitted the commutation of prædial services into cash payments, because it was advantageous to them. Some of them granted also certain indulgences to worthy tenants and set a limit to the fines and fees that were occasionally exacted from the latter. These concessions and indulgences came in course of time to be regarded as perpetual, and so successive generations of tenants claimed a customary

right to be entered in the court-roll on the same terms and at last succeeded in getting copies of the entry for their security. Instances of this desirable transformation from tenants in villeinage to copyholders occur as earlv as the reign of Henry III. By the time of Edward I, the demands of the landlords were, generally speaking, precise and certain. In 1236, the statute of Merton gave legal sanction to the prescriptive right of the copyholders to the use of the common, though the French lawyers of a previous age had shuffled their title out of sight by calling it the lord's waste. In the reign of Edward III, it was decided that so long as copyholders performed their part of the contract, the lord could not divest them of their property. Finally under the administration of Edward IV, the judges ruled that they had a right to bring an action for trespass against their lord for dispossession, and so set aside the iniquitous principle that the villein had no rights as against his master. Thus by gradual and easy stages did the bulk of the peasantry "slide from tenants-at-will and on arbitrary labour rents into tenants of base holdings at fixed labour rents, then into tenants in villeinage at fixed money rents, but at precarious fines on surrender and regrant, then into tenants by copy of court roll, where labour rents long preserved in form were really quit-rents and where heriots and fines on alienation were strictly

limited by custom and the interpretation of the law."*

While many of the peasants crept in this manner into property and unqualified freedom under the title of copyholders, others freed themselves in a different manner. "The law, which treated them harshly, did not take away the means of escape, nor was this a matter of difficulty in Mediæval England............ The lord had, indeed, an action against a fugitive tenant; but there was so little communication between remote parts of the country that it might be deemed his fault or singular ill fortune, if he were compelled to defend himself. Even in that case, the law inclined to favour him; and so many obstacles

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* The character of their tenure after the change had been completed may be seen from the following extract from the Customs of Borrowdale, Cumberland, in 1583.

The customary tenants are "to have their messuages and tenements to them during their lives, and after their decease, to the eldest issues of their bodies, lawfully begotten. And for lack of such issue, the remainder thereof to the next persons of the same blood, paying yearly for the same *the rents accustomed* to the lord or lords of the said manor, at the feast days of St. James the apostle and St. Wilfred by even proportions......... The tenants shall pay on change of the lord *one God's penny* and at their death or on change or alienation of their holdings *one year's rent.* The tenants shall pay a *fixed tithe commutation.* They shall have all their fishings at the *usual rents.* They shall have all underwood and top or lop (not being timber). They shall have sufficient timber for the repair of their houses, hedges and implements by view of the bailiff."

were thrown in the way of these suits to reclaim fugitive villeins, that they could not have operated materially to retard their general enfranchisement."

Some interesting information about the condition of these classes in the latter half of the fourteenth century as also about the moral and economic forces that were modifying their relation to one another may be obtained from the writings of Chaucer. The pictures in his gallery are, no doubt, drawn with an eye on the requirements of harmony and contrast, so that they cannot be taken as faithful photographs of the types that are introduced. Still it is possible by means of a critical study to separate the details that are due to the artist's endeavour to make his portraits interesting from those which are supplied by the experience and knowledge of a contemporary of more than ordinary powers of observation. For instance, when he says that the Knight had never spoken any discourtesy to any living creature, that he had spent his life in fighting for his faith or his lord, and that most of his years had been passed in self-inflicted exile with the object of winning glory in distant lands, he is certainly not describing many members of the class ; but he does tell us something about the ideal which was still before their eyes, and which dictated a proud detachment from the homely work of production. Similarly, when he observes that the clothes of the squire were 'embroidered red and white as it were a meadow full of fresh flowers,' he lets us see the

extravagance, which was proving the ruin of the class and giving an opportunity to the classes just below it to rise in the social and economic scale. To one of these classes belonged the Franklin, who is described as being St. Julian in his country. "It snowed in his house of meat and drink, of all the dainties that men could think." And this affluence was accompanied by a notable increase in his importance and influence, for he presided now at the sessions and represented his county in Parliament and sometimes served as sheriff. After him came the bailiff, or reeve, as Chaucer calls him. This worthy* had in his keeping everything belonging to the lord, and his subordinates and the peasants were mortally afraid of him. Though sprung from the ranks, he lived in an elegant house shaded by tall trees and at a distance from the humble habitations of lesser folks. He was too sharp to be cheated by anybody ; but he cheated his master and managed to have at the same time a reputation for faithful service. The reeve and the franklin represent the two classes that were acquiring wealth in this period and were thus preparing themselves for the part which as tenant farmers they were to play in the next.

Chaucer's sympathy with the lower classes leads him to attribute ideal excellence to them. His

* Mr. Pollard thinks that he was the bailiff of an entire manor, while those whom Chaucer calls bailiffs were managers of separate farms in it and, therefore, subordinate to him.

ploughman was a true swinker, living in peace and perfect charity,

He wolde thresshe, and therto dyke and delve,
For Cristes sake, for every poore wight,
Withouten hyre, if it lay in his might,
His tythes payed he ful faire and wel,
Both of his propre swink and his catel,*

I shall presently show that this peasant with his perfect patience and clear sense of duty did not justly represent his class. But it may be admitted that the poet's sympathies were on the right side, for though the fact, that the peasant was now paying his tithes, would seem to indicate that he was no longer a mere hind, yet there are passages in Chaucer's work that go to show that cases of oppression and arbitrary taxation were not altogether unknown in his day. Take, for instance, the passage in which the Parson speaks of the punishment that will be meted out to those lords who like wolves devour wrongfully and mercilesslv the possessions and the cattle of poor people and tells them that "extorcions and despit of their underlynges is dampnable". Evidently some of them still required to be reminded that "of swich seed as cherles spryngeth, of swich seed springen lords." It appears, therefore, that though political and economic forces were loosening the shackles of the peasants, yet even in the latter

* Mr. Pollard takes this difficult line to mean,—both of the fruits of the field he ploughed and of the increase of his cattle.

half of the fourteenth century, their influence was local and partial, and ecclesiastical authority was still the last bulwark of the poor against injustice and oppression.

But for these few references to occasional acts of aggression, there is little in Chaucer's writings which suggests the presence of disturbing elements in rural society. His characters have the joyousness and freedom of the delightful season with a description of which his great work opens ; and the nature of his subject as well as his artistic instinct prevents him from noticing in detail all that was mean or fraught with danger in their relations to one another. For the other side of the picture, we have to turn to another remarkable work of the period, viz., the Vision of Piers the Ploughman. It is full of dark presages of the troubles that were soon to overtake the people. The time-spirit in the fourteenth century was one of revolt ; but, as Langland observes, it was short-sighted in as much as it failed to discern the proper limits and the true purpose of freedom. Sufficiency of fine victuals, exemption from the necessity of earning their bread by labour and a supposed right to defy and defraud their employers were taken by the new agricultural proletariat to be the sure marks of freedom. The truth is that long years of servitude had completely demoralised the labourers so that they did not know how to properly use their newly acquired liberty. The Black Death had given them an obvious superiority in the matter

of bargaining ; and they were prepared to take the fullest advantage of it without reference to the interests of other classes or of the community as a whole.

It is interesting how Langland illustrates the disintegrating tendency of the new spirit and the troubles that it had already created. Piers decides to accompany a number of pilgrims in their quest of truth ; but he cannot start immediately, for there is a bit of land which must be ploughed without delay. So he asks the pilgrims to assist him in his work, and says that they shall share the harvest with him if they comply. But while they seem to accept his proposal, many of them waste their time in idleness as soon as his back is turned. Piers is angry when he discovers how dishonest they are, and he threatens to deprive them of the promised share of the crop. Some pretend illness, while others are prepared to fight and they tell him point-blank that whether he likes it or not, they will take his flour and his meat and make themselves merry therewith. The knight expostulates with them, but in vain. At last Hunger is called in, and he subdues them in his own relentless fashion.

The meaning of the allegory is clear enough : and what is more, Langland proved too good a prophet,* for hunger and harsh laws did at last subdue

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* I warne you alle workmen winneth while ye mowe,
Hunger hiderward ageyn, hiyeth him yeorne.

these men. There were three alarming symptoms of social and economic disorder to which pointed reference is made in the Vision. They were the growth of a race of sturdy beggars, the adoption of a false standard of comfort by the wage-earners and their disinclination to hard labour and lastly a rapid increase in the number of priests and so-called anchorites who covered their shoulders with copes and made themselves hermits to have their ease. Labourers, Langland observes, refused to have vegetables for their breakfast. Penny ale would not satisfy them, but the best and brownest that could be had. They turned their noses at bacon and would taste nothing but fresh meat or fish, fried or baked. And unless thev were hired at a high rate, they cursed the king and his council for making laws to vex labourers. The labour of these men was, of course, inefficient, and its cost was becoming unduly high. But they were not the worst part of the population, for "there were in the country many beggars who went busily about with their bellies and their bags crammed full of bread ; they told lying tales for their food and fought in the ale-house......In gluttony they went to bed and rose up with ribaldry and sleep and sorry sloth ever pursued them." These 'wolvish wasters' probably injured the community more than any other section of it.

Both the Vision and the Canterbury Tales were written after the Black Death. It visited England in 1349 after devastating the continent of Europe.

Though its ravages were fearful, yet for a brief spell of time, it improved the condition of the peasantry by relieving the congestion in the labour market. It is said that at least a third, if not half, of the population of England was swept away by this terrible scourge. Labour became scarce in consequence, and the labourers stood out for unprecedented remuneration. The rise in agricultural wages generally was fifty per cent, while for harvest work it was nearly sixty per cent.* In many places, the land could not be tilled and the harvest gathered for want of hands. And where labour was available, its exorbitant price stood in the way of its employment on any but the best fields. Prof. Rogers says that after the first shock of the calamity was over, food and stock were only a trifle dearer,† but labour continued to command a prohibitive value. The inevitable results of such a state of things were a rapid decline in agricultural profits and an equally rapid shrinkage of the

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* Prof. Rogers gives the following figures from the Decennial Assizes :—

	1261-70	1391-1400
Threshing in the Midland Counties ...	2⅛d.	4d.
Reaping per acre	5½d.	7⅜d.
Mowing per acre	4d.	6¾d.

† The figures quoted by Prof. Rogers are :—

	1261-70	1391-1400
Wheat	4s. 8⅝d.	5s. 3d.
Barley	3s. 5⅝d.	3s. 5⅞d.
Rye	4s. 4¼d.	3s. 4¾d.

area under the plough. Government could not ignore the situation ; and by an ordinance of Edward III, it was enacted that "every man in England, of whatever condition, bond or free, of able body and within sixty years of age, not living of his own, nor by any trade, should be obliged, when required, to serve any master who was willing to hire him at such wages as were usually paid three years since or for some time preceding." This law, however, could not affect the new relation between the employer and the employed, and in 1351, Parliament passed another ordinance fixing the wages of husbandmen with regard to the nature and season of their labour. Rules were framed at the same time for cutting down the prices of commodities in order to guarantee a living wage to them. It was an attempt to restore the old order, the regime of custom ; and it failed because the two-fold scarcity of labour and foodstuffs stood in the way of such a restoration. Even the landlords were half-hearted in their support of these measures, for though they would have been only too glad to have labour at reduced rates, yet they could not like the proposed reduction in the price of victuals, since as farmers on a large scale they had a direct interest in its enhancement. But Parliament was obdurate, and it sought to enforce its ordinances by penal regulations. It was ordered that those who refused to work for the prescribed wage should be imprisoned and branded with a red-hot iron, that towns which harboured runaways from rural districts should be

heavily fined and that the income derived therefrom should go to the lords, but that these should be mulcted to the extent of three times the amount offered or paid, if they elected to pay more than the regulation wage. Punishment and reward, however, were alike ineffective, except in so far as they intensified the spirit of resistance that had grown up among the peasantry.

The landlord was thus thrown on his unaided resources. He had the necessary stock and land ; but he could not afford to pay for the necessary labour at the new rates. Besides, the decrease in population, while thus enhancing the wages of labour, had at the same time injuriously affected his income in other ways.* For though the villeins continued to pay the customary rent of 6d. per acre, yet owing to the decline in their numbers, the rent rolls showed a falling off in the total amount realized, except where the entire village community was held responsible for the payment. And even in such cases, it was imposible to enforce the joint responsibility without extreme oppression. Under the circumstances, the

* The profit and loss account of Cuxham manor, as given by Prof. Rogers, reveals the situation in certain parts of the country.

	1332-33	1350-51
Receipts ...	£57 13s. 11d.	£33 5s. 8¾d.
Expenditure ...	£27 7s. 5¼d.	£27 5s. 2¾d.
Profit ...	£30 6s. 5¾d.	£6 0s. 6d.

attempt to cultivate the demesne lands through the agency of the baliff became daily more and more impracticable.

But it was thought that the bailiff could make a decent income out of them and pay a fair rent, if he was allowed to appropriate the profits of farming. He knew the business, and he knew the farm-hands over whom he had probably exercised some measure of control for a considerable length of time. He had failed, it is true, as a servant of the proprietor. But he might get over the new difficulties, great as they were, if the prospect of gain led him to practise the strictest economy. Very few men of his class, however, possessed capital enough for working so large a holding as an entire demesne. At the same time, some of the capital needed existed on the estate in the form of stock and certain manorial rights which had a money value. So those lords who decided to let out their land supplied also the necessary stock and transferred to the lessees the privileges and perquisites which they had enjoyed in their manors. The arrangement was usually for a short term of years, and the consideration was a fixed money payment.

Here may be seen the beginning of the modern system of leases for definite periods, though something like it had existed on the estates of the Church even before the Norman conquest. It has been compared to the metayer system of the Continent ; but the consideration for the stock and land lease was

a definite cash payment and not a definite proportion of the produce, whatever it might be. In fact, it bore a certain resemblance in this respect to the terms on which the villein held his land. But the rent paid by the villein was really the money value of the prædial services due by him at the time of commutation. It was not determined with reference to the productive power of his farm or to the surplus that remained to him after meeting the cost of its cultivation. The new tenant's rent on the other hand had direct reference to the income that he expected from it. It was economic rent and not quit rent like that which the villein paid and which reflected in its amount not the value of his land, but the nature and extent of his original obligations to his master. Still it differed from the rent which is paid by the modern farmer in as much as it included besides the price paid for the possession of land, a certain sum for the loan of the implements and beasts which belonged to the landlord.

Competition for tenancies of this type was languid for some time after the Black Death, because the number of men who could undertake the management of big farms was limited. Hence profits were comparatively large and rents exceedingly low. The result was that the stock and land lease proved a transitional form. In about fifty years from its introduction, the lessees acquired wealth enough to buy up the stock and in some cases the land as well

under fee-farm rents.* The landlords on their part found that they might avoid the necessity of supplying stock and put up rents at the same time, if they would break up the home farms into a number of holdings of a more convenient size. The men, who took them up when they were created, were not rich enough to employ hired labour. Consequently they did the work themselves with the help of their families, and as they did it much better than wage-earners, their profits were high. They had also a decided advantage over the copyholders, for their holdings were generally compact and not like those of the latter inconvenient bundles of small plots scattered all over the open fields.

But agrarian evolution did not in every case proceed along these lines. A growing demand for wool had rendered sheep farming highly profitable. And those among the proprietors, who did not like to break up the *terra dominicalis* into small holdings, introduced this industry. The dearth of labour could not compromise its success, for a shepherd with his dog could manage as much land as would have required a hundred labourers for its proper cultivation. But the sheep-walk had to be in the form of a compact and extensive plot. And it was necessary to segregate the best breeds from inferior animals in order to obtain the most satisfactory results.

* As arable land did not cost more than fifteen years' purchase and rent seldom exceeded 6d. per acre, an acre of such land could be had for 7s. 6d.

So the proprietors who went in for wool-growing had recourse to two distinct kinds of enclosure. They consolidated their holdings in the first instance by exchanging strips which were at a distance from one another for others which were contiguous. Such a re-arrangement involved, of course, a similar concentration of the holdings of some of the peasants ; and so far as it took place, it cleared the way for improvements in tillage, which were out of the question under the open-field system with its intermixed strips. But it cut down the area over which the domestic animals could graze, which was still further curtailed where there was partial or total enclosure of the waste. The poorer agriculturists were thus hit hard, for they had depended as much on the increase of their cattle and swine as on the yield of their farms. It must be observed, however, that enclosure in this period was not exclusively a landlord's movement, but that there was a distinct effort on the part of the industrious and enterprising among the cultivators to get rid of the open-field system, which involved compulsory co-operation with the indolent and shiftless. And where circumstances were favourable, they fenced in their detached strips and even indulged in sporadic encroachments on the waste.

The two methods adopted by the landlords of tiding over the crisis had very different results, for while the partition of some large farms brought about a diffusion of landed property, the increase of sheep-

rearing caused in other instances its aggregation in the hands of a few individuals. This concentration was apparently injurious to the best interests of agriculture. Where it was resorted to, a large proportion of the population was deprived of its means of subsistence and the shrinkage of the arable area was attended for the time being by a sensible decrease in the out-turn of crops. But justice demands the statement that if prices of foodstuffs ruled high in consequence of contracted production, they were sometimes higher still in the antecedent period, when enclosures had not been thought of. The truth is that agriculture could not improve under the open-field system and that even the incentive to improvement was absent so long as no rival industry disputed the field with it. The extension of sheep farming was, therefore, a boon even to agriculture in the long run. Besides, its direct and immediate influence was not so bad as it is generally believed to have been. For while it deprived a number of men in the rural districts of the means of earning a living, it provided occupation for them in urban areas by powerfully stimulating the woollen manufacture of the land. This manufacture, the first of England's great industries, may be said to date from the days of Edward III, when a number of Flemish fullers, dyers and weavers migrated to England after quarrelling with their count. They planted the business on English soil ; but that it grew rapidly was due in part at least to the circumstance that English weavers

could have the raw material at a lower price than their Flemish rivals.* This important advantage enabled them at last to capture foreign markets, and the wealth that was acquired in this export trade and the manner in which it was spent gave a fillip to building and certain other industries and thus extended the field of employment. We hear much of the exodus of the rural population during this period. But hard as the conditions of existence were in the country, this exodus could never have taken place, if the towns had not possessed industries of sufficient magnitude to absorb the immigrants. Chief among these industries was the woollen trade, and many of the others were directly or indirectly dependent on it.

Those landlords who failed to read the signs of the times and tried to preserve intact the manorial organisation relied for some time on the collective responsibility for rent of the village communities subordinated to them and even tried in some instances to forcibly reintroduce the labour discipline which had been replaced by payment in cash. They felt that they were justified in making this attempt, as commutation had been resorted to as a mutual convenience and nothing had been settled by law in the matter, so that the villeins could not claim the right

* The export of wool diminished rapidly from the days of Edward III, while the export of the manufactured article increased. Only 5,000 pieces of cloth are said to have been exported in 1354, but 80,000 pieces were exported in 1509 and 120,000 pieces in 1550.

to pay instead of working, when cash payment was obviously disadvantageous to one of the parties. The villeins, on the other hand, looked upon this attempted reversion to the old order as an unjustifiable violation of an established custom. In fact, they went farther and demanded commutation at the rates which had been previously allowed where payment in praedial services was still the rule. The demand was, of course, refused, for it was difficult to satisfy it and to maintain the manorial economy. But force had to be often employed to keep the villeins to their work. This was one of the causes of the organized general rising of the peasants in 1381, an excuse for which was furnished by the iniquitous poll tax of Richard II.

The rebellion did not materially improve the condition of the peasants. For the landlords were naturally loath to risk their economic superiority; and they found ample scope for maintaining it in the new industry which was replenishing the empty coffers of their neighbours. They followed in the footsteps of wiser men and sometimes sacrificed their tenants for an immediate pecuniary advantage. Thus throughout the fifteenth century, serious complaints were made of the manner in which tenancies were destroyed, teams broken up and parishes laid desolate in different parts of the country.

But as often happens in a period of transition, the faint beginnings of future greatness passed unnoticed, while the suffering caused by the disappear-

ance of the old order attracted undue attention. There was misery, no doubt, in the rural districts, and it demanded palliative measures. Government, however, decided to destroy the supposed evil in its inception by putting a stop to the exodus of the peasantry and by endeavouring to revive agriculture in circumstances which were inimical to its prosperity. The policy would have been unwise even if the object had been desirable. It is not strange, therefore, that the legislation prompted by it met with scant success. Among the abortive measures are to be reckoned two statutes of Richard II, passed in 1377 and 1385, which endeavoured to check migration, and another act of the year 1394, which offered facilities for the exportation of corn. After these had proved futile, Henry IV and Henry VI attempted by enactments to prevent the children of agriculturists from becoming apprentices in towns and to offer new opportunities for their education in employments subsidiary to husbandry. But with the decline of tillage, they had become unremunerative and precarious ; and consequently these regulations met with no better success than their predecessors. Only a legislative coup-d'-état could have set matters right in the manner desired, by defining once for all the respective rights of landlords and tenants to the waste and by giving to the latter an indefeasible title to the land which they tilled. But nothing like this was ever attempted. The policy of the rulers was to maintain agricultural wages at a low level and at the

same time to ensure an adequate supply of farm hands. Stringent laws were, therefore, passed, which condemned the sons of peasants to life-long labour on the land and even sought to debar those who had once done agricultural work from ever after applying themselves to any kind of handicraft.

These laws, so far as they were successful, served only to intensify the suffering in the rural districts. But the flourishing condition of the woollen and other trades would seem to indicate that their coercive influence did not extend very far. The truth is that towards the close of the Middle Ages, social relations were being recast and new classes were being formed out of the old under the operation of economic forces. The disintegration meant, of course, considerable suffering, especially as it was not slow and gradual, but took place in the form of a cataclysm. It is an error, however, to fasten the responsibility for the evil on the new money economy and the spirit of competition ; for the crisis was really brought about by the Black Death and the consequent scarcity of labour, though it must be admitted that the change which followed was quite in keeping with the new pecuniary relations and the spirit which it fostered. It hit hard many of the poorer peasants ; but under other circumstances, the money economy might have benefited them. And we must remember that they had welcomed it as a condition of freedom. Freedom has its risks ; and events showed in this case that the peasants and labourers

were not yet fit for them. But neither freedom nor the money economy can be blamed for the course which history took. It is, indeed, the nature of the money economy, that it facilitates re-arrangement of the forces of production by rendering comparison easy of the values of different kinds of commodities and services. This, however, is an advantage and not a drawback, though it may be opposed to the continuance of customary tenancies. There have been apologists of the regimé of status and of the later mediæval system as a whole. But an impartial examination of the "spotted actuality" of the age discloses the inherent weakness of many of its institutions. Things were bad enough throughout this period, and that they were not worse was due to the restraining influence of the Christian faith and of the Church which was its visible embodiment.

It is not implied that the landlords, who appropriated the possessions of their poor tenants without offering them due compensation, acted wisely or well. Nothing could justify such robbery; and Government should, if possible, have prevented it. But Government was weak as a result of the mediæval polity; and from an apprehension of offending the too powerful nobility, it strengthened the arms of the oppressors by imposing fresh restraints on the oppressed. The partial legislation, however, of which it was guilty, was in reality an attempt to revive the rule of status, which has been unduly extolled by a certain class of writers.

Here let us pause for a moment and carefully examine the economic and political condition of the different sections of the landed interest towards the close of the Middle Ages. History makes a fresh start in the last decades of the fifteenth century; and it is necessary for a clear comprehension of it that we should stop for a moment on the border-land and study the evolution of new conditions out of the old. The task is not difficult, as a review of English society during this period of transition has been presented by Dr. Stubbs, and it is remarkable alike for distinctness of outline and fulness of detail. The following sketch which, I believe, is sufficient for our purposes, is based on his account and consists largely of excerpts from it.

The narrow and self-regarding prejudices of birth and rank made the nobles stand apart from the rest of the community, so that there was a wide gulf between the poorest of the barons and the wealthiest of the class next below them. At the same time, there was the greatest scope for difference in wealth, power and honours of descent within the ranks of the privileged order. While some of the earls and dukes were closely connected with royalty and exhibited a semi-regal splendour in their house-keeping and exercised an all but royal authority in their domains, many a lesser baron was the owner of a poor heritage, and was by personal extravagance losing his hold over the land, which was passing to the city tradesman and the enterprising farmer.

"The knights and squires of England, on a smaller scale and with less positive independence, played the same part as the great lords: their household economy was proportionately elaborate; their share in public work, according to their condition, as severe and engrossing. There was much, moreover, in their position and associations that tended to ally them politically with the lords. They had their pride of ancient blood and long descended, unblemished coat-armour; and they had perhaps as a rule longer hereditary tenure of their lands than those higher barons, who had played a more hazardous game and won larger stakes."

The wars and attainders of the fifteenth century had greatly thinned the ranks of the peers. But they had not seriously affected the number or importance of the country gentry, who seem, on the other hand, to have profited by the misfortunes of those who were above them, for there was hardly any village in this period which had not its knight or squire or franklin. They could not, of course, take an active part in the government of the country, which was controlled by about half a dozen barons of the highest rank; but local administration was entirely in their hands.

"Next after the gentry......ranked the great body of freeholders, the yeomanry of the Middle Ages, a body which, in antiquity of possession and purity of extraction, was probably superior to the classes that looked down upon it as ignoble. It was from the

younger brothers of the yeomen that the households of the great lords were recruited ; they furnished men-at-arms, archers and hobelers to the royal force at home and abroad, and settling down as tradesmen in the cities, formed one of the links that bound the urban to the rural population......... After the economic changes which marked the early years of the fifteenth century, the yeoman class was strengthened by the addition of the body of tenant-farmers, whose interests were very much the same as those of the smaller freeholders, and who shared with them the common name of yeomen. These tenant-farmers, succeeding to the work of the local bailiffs who had farmed the land of the lords and of the monasteries in the interests of their masters, were, of course, less absolutely dependent on the will of the landlord than their predecessors had been on the will of the employers : they had their own capital such as it was, and, when their rent was paid, were accountable to no one."

"The wills and inventories of the well-to-do freeholder and farmer furnish unmistakable evidence of competency ; and these are an irrefragable answer to the popular theories of the misery and discontent of mediæval middle class life.........The house of the freeholder was substantially, though simply, furnished, his stores of clothes and linen were ample, he had money in his purse and credit at the shop and at the market. He was able in his will to leave a legacy to his parish church and to remember

all his servants and friends with a piece of money or an article of clothing. The inventory of his furniture which was enrolled with his will enables the antiquary to reproduce a fair picture of every room in the house: there were often comforts and even luxuries, although not such as of later days; but there was general abundance."

The position of the copyholder was often one of independence and even prosperity. He was certainly inferior to the free tenant in status and political privileges; but there was not always much difference in their economic condition. The fall in the value of money had benefited him as he held his lands subject to a fixed cash payment. And he was protected against the rapacity of his landlord by the copy of the court rolls which he possessed and which always received due recognition at law. He might have suffered an injury if there was enclosure of the waste in his village by the landlord. But only a small quantity of land was thus enclosed in the fifteenth century. On the other hand, he must have gained immensely if as a result of the changes that were going on, he was able to consolidate his holding.

In startling contrast with the competence and freedom of the yeomen and the better class of copyholders was the paralysing uncertainty of the crofter's lot. The day was no more when he was an indispensable element of the manorial organisation. With the progressive transference of the home farms

to capitalist farmers, his services were less and less in request, as the favourite industry of the new occupants was that which required the lowest outlay in human labour. The old arrangement, while jealousy withholding from him the rights and privileges of freedom, had guaranteed at the same time a sufficiency of victuals and a humble shed for his shelter. The new order mocked him with the hollow name of liberty after condemning him to destitution. And the worst of it was that there seemed for the time being no escape from this yoke of misery. He resembled in this respect the craftsmen of the urban population who could never aspire to be masters, for there was hardly any chance of his acquiring a rood of ground to till and leave to his children. It was thus his hard lot to be painfully alive to all the vagaries of the seasons and to every change in the prices of necessaries ; and thanks to the time-honoured principle of self-sufficiency, fluctuations in price were the most prominent feature of mediæval markets.

Socially inferior to the poverty-stricken cottager, but in many respects better off, were the recipients of public charity, among whom were included the destitute widow and orphan and the invalided or decrepit labourer. Mercifully for them, legislation had early provided for their relief by making their maintenance an important charge on the land and entrusting the administration of the fund thus raised to men who by their profession were best fitted for

the noble task. The landlords paid a tenth of the agricultural produce into the treasuries of collegiate churches for alleviating suffering and removing as far as possible destitution. And this sacred trust was discharged and, what was equally important, the duty of benevolence was kept continually before men's eyes by the beneficed clergy, the almoners of monasteries and the mendicant friars. It is, indeed, difficult to state with any degree of exactness how far tithe offerings and the labours of the friars were equal to the needs of indigence. But probably down to the middle of the fourteenth century, the disparity, if there was any, between the resources of succour and the legitimate demands of poverty, was not very glaring. Any great and sudden increase of population never occurred in the Middle Ages ; their frequent wars and still more frequent famines serving in this respect as a Providential arrangement for confining it within narrow limits. Consequently the supply of labour was to a certain extent commensurate with the effective demand ; and able-bodied pauperism was an anomaly, if not an impossibility. But the fifteenth century ushered in a new train of circumstances, which put the efficiency of the old machinery of poor relief to a severe trial. Owing to the extension of sheep-walks and the abolition of liveries, the ranks of the impotent poor were swelled by men who, though able and willing to work, had been deprived of the means of self-support. And beside these new claimants of monastic

and parochial doles, there grew up a race of sturdy beggars consisting chiefly of dismissed soldiers and retainers, who preferred the freedom of vagrancy to the galling restraint of regular labour.

Misery and crime thus attained colossal proportions in the lower classes towards the close of the fifteenth century. They are generally associated with the progress of sheep farming. But it was resorted to because tillage had proved unremunerative except where it had been undertaken by men who could introduce improved methods and possessed sufficient capital and exceptional facilities for carrying on the work. Such facilities were enjoyed by the lessees of some of the demesne lands ; and these were better manured and bore heavier crops than the rest of the arable area, and paid in consequence a higher rent. The rent of other agricultural lands was generally lower per acre than that of meadows. In fact, an acre of waste with gorse or furze on it which could be cut for fuel was estimated by FitzHerbert to be twice as valuable as an acre of land under the plough. So land was seldom broken up except where the forest had completely disappeared and there was no other way of utilising it. It is not strange, therefore, that the rent of an acre of arable land was less than the daily wage of a carpenter or mason and that in many places it did not exceed the sum paid for half a day's work. The chief difficulty in the way of successful husbandry was, of course, the prohibitive price of labour. But it does not speak well of petite culture

that it could show no improvements in its methods though it was not handicapped by the dearth and the consequent high price of labour. The copyholders and many of the freeholders worked their farms with the assistance of their families. The rise in the prices of foodstuffs had given them a decided advantage. And yet there was a progressive decline in the yield of their fields. The reason is that the land had been completely exhausted by their wretched mode of cultivation. The return per acre was seldom above nine bushels of wheat, and more than two bushels of seed had to be used for such a return. It is not surprising, therefore, that the opinion had gained ground that the soil of the country was better fitted for sheep farming than for the cultivation of cereals.*

The depressed state of agriculture in the latter half of the fourteenth century and throughout the fifteenth was reflected in the decline in the annual value of land. Good land had before the pestilence paid as much as eight or even nine pence per acre in the way of rent, but the rental seldom exceeded six pence per acre in the years that followed. There was a rise, however, towards the close of the period wherever the land was

* The soile of Britaine............is more inclined to feeding and grazing than profitable for tillage and bearing of corne by reason whereof the countrie is wonderfulie replenished with neat and all kind of cattle.—Harrison's Description of Britain.

enclosed; and the rent paid for enclosed fields was generally thirty-three per cent. higher than that of lammas lands. Those who condemn the selfish disregard of the rights of the peasants to the waste which was sometimes exhibited by the landlords are perfectly justified in doing so. But those who lament the departure of the old order because it deprived a number of worthless labourers of the opportunity of earning their livelihood by doing certain kinds of work which might be dispensed with, do not seem to realise all that is implied in their criticism. If the change which they deplore had not taken place, the nation might have remained in a state of chronic poverty for long years even after the close of the fifteenth century. There are certain kinds of evil which attract attention because they seem to be preventible, while others which are equally preventible by foresight and the adoption of improved methods of industry are often set down to the operation of laws that are beyond human control. The population of England at the close of the fifteenth century was smaller than what it had been in the early years of the thirteenth, and it was certainly much smaller than what it had been under imperial rule a thousand years ago. The decrease was due, no doubt, in a large measure to the Black Death. But that there was no appreciable recovery in a hundred and fifty years would show that all the positive checks to an increase of population were in full activity in the period. Their operation is always

attended by a considerable amount of suffering, though it often passes unnoticed or is ascribed to the perversity of fate. A large and sudden displacement of labour may, it is true, cause equal, if not greater, misery. But there is no evidence to show that such a displacement was due mainly to economic causes in the fifteenth century. As a matter of fact, only a small quantity of land was enclosed in this period and it was generally waste land that was treated in this way.

CHAPTER IV

MODERN LANDLORDISM AND CAPITALIST FARMING

We have seen that at the commencement of the modern era, English society was in a state of unstable equilibrium, so far as its economic organisation was concerned. Some of the important classes were, no doubt, prosperous ; but there was a great and growing volume of misery at the bottom. Its presence was recognized by government, and efforts were made to grapple with the evil. But the economic forces at work were lost sight of or imperfectly understood, with the result that the remedies administered sometimes aggravated the disorder. The Tudors, however, had a definite and sound policy ; and so whatever the errors of their government might have been, they succeeded at last in establishing a relatively stable order of things. They had a twofold object in view, viz., to make themselves absolute rulers of England and to make England a world-power with, if possible, valuable dependencies in different quarters of the globe. And they felt that a powerful navy and a large and growing population were necessary for the attainment of their cherished ends. Hence they could not look with equanimity on the extension of sheep farming and the growth of

a class of large farmers at the expense of the sturdy yeomen.

In the last quarter of the fifteenth century and in the century that followed, money made in trade was largely invested in land, because sheep-farming paid as well as any other business. And capital could easily take this direction, because all sorts of property in land were thrown into the market in consequence of a variety of causes. Many of the great houses had been ruined during the Wars of the Roses, and so their representatives sold their patrimony, and "the buyers were for the most part citizens and vulgar men." There appeared also a class of speculators who bought up leases in order to act as middlemen between the landlord and the cultivator. These lease-mongers, according to Thomas Lever, "make the tenants to pay so muche and the landlord to take so little that neither of them is wel able to kepe house." There were others, again, who would go in for farming if they could get sufficient land for conversion into sheep walks. And it was possible to accommodate them because some of the landlords had after the discontinuance of the manorial economy granted leases to the cultivators for a definite period or for life. Their tenements were resumed after the expiration of the lease and then let out to the wool-growers at an enhanced rent. This was the least objectionable of the methods adopted by the landlords for improving their income. For in not a few instances did they get rid of customary tenants by

demanding an impossible fine on succession, or compel them to surrender their hereditary right in exchange for a terminable lease. And where they felt strong enough, they refused to recognize the title of small freeholders, unless it was supported by documentary evidence.

These high-handed measures were resented not only by the expatriated peasantry, but also by some of the most thoughtful and enlightened men of the age. Sir Thomas More referred in terms of scathing scorn to the methods of "noblemen, gentlemen, yea and certain abbots who enclosed all into pastures, who threw down houses, plucked down towns and left nothing standing but only the church to be made into a sheep-house."* "The husbandmen," he observed, "were thus thrust out of their own, or else either by coneyn or fraud or by violent oppression they were put beside it, or by wrongs and injuries they were so wearied that they were compelled to sell all." Thenceforth the country ceased to be their home, and their places soon knew them not. For "by one means or another, either by hook or crook they had to depart away. Away they trudged out of their known and accustomed houses finding no place to rest in." Such was the impression made

* Compare the following lines from the Ballad of Now-a-dayes, which appeared about 1520.

Grete men makyth now-a-dayes
A shepe-cote in the churche.

on a political thinker by the movement in the early years of the sixteenth century. And even at its close when the movement showed signs of abatement, Bacon deplored the manner in which "arable land was turned into pasture, and tenancies for years, lives or at will, whereupon much of the yeomanry lived, were turned into demesnes." Public feeling was, in fact, throughout the period strongly against the enclosures and evictions. The sins of the peasantry were forgotten, while their sorrows, real and fancied, elicited a measure of sympathy that magnified the evil, especially as there was little in the character and antecedents of the authors of the trouble, the new nobility and gentry, that could command respect.

The Tudors were not inclined to ignore the popular sentiment in the matter, for they had their own reasons for viewing with apprehension the decline of agriculture, which was supposed to involve a twofold political danger. It threw out of work a large number of men who had once been the best soldiers of England, but who were now "so discouraged with misery and poverty that they fell daily to thefts and robbery." The taste for a vagrant life grew quickly among them, and though they lived ostensibly on charity, yet when charity failed, they supplied their wants by stealing and by burglary. The lords, who might have kept them in check, exhibited at this time a partiality for the amenities of urban life. There was, in fact, no longer any induce-

ment for residence on their estates. Under the old economy, almost everything that they might require was produced in the manors. But the wool that was now grown in them had to be exchanged in the first instance for money, and for money they could have better and cheaper things in the towns than in the country. Their migration, however, intensified the evil which had been caused by the new industry, for it meant loss of subsistence to those who had been formerly employed in the stables, kitchens, fish-ponds, parks and gardens of their manorial residences.* The men who were thus thrown out of employment swelled the ranks of the new agricultural proletariat, which was already a serious menace to peace and order in the country and the smaller towns. At the same time, the depopulation of the coasts, exaggerated reports of which reached head-

* George Gascoigne deplores this effect of the desertion of the countryside by the landlords in the following lines :—

> The gentleman, who might in countrie keepe
> A plenteous boorde, and feed the fatherlesse
> With pigs and goose, with mutton, beefe and veale,
> (Yea now and then, a capon and a chicke)
> Will breake up house and dwel in market townes,
> A loytring life, and like an Epicure.
> * * * * *
> And now the youth which might have served him
> In comely wise, with countrey clothes yclad.
> * * * * *
> Is faine to sell his landes for courtly cloutes.
> Or else sits still and liueth like a loute.

quarters, seemed to cut off all chances of an effective resistance to the disembarkation of a hostile force.

These political difficulties were sufficiently alarming in their nature. But they were accompanied by an economic crisis, the magnitude of which it was impossible to over-estimate. England was not yet a great manufacturing country ; her nascent industries were unequal to her own wants ; she exported chiefly coarse stuff and the raw materials of clothing and was dependent on Flanders for the finer products of the loom. She could not under the circumstances permanently draw upon the resources of other nations for her food supply, and yet the progressive extension of wool growing was bound at no distant date to lead to such a dependence.

Such was the situation during the rule of the first two monarchs of the Tudor line ; and poor as England was in commerce and manufacture, it could not be obscured by the glamour of industrial development. Attention was, moreover, directed to it by the champions of the new policy, who thought that it was quite fair to restrict the pursuit of private advantage in the interests of the commonwealth. England, they believed, might win and maintain a commanding position, if she had a large and rapidly growing population and a powerful navy. And both of them could be secured if her agriculture was so prosperous as to meet the needs of increasing numbers at home and to supply at the same time the material for a busy maritime trade. So they viewed

with dismay the extension of sheep farming and the shrinkage of the arable area. These were held to be responsible for three stupendous evils, each of which by itself would have been a serious menace to the well-being of society. First in significance and the order of succession was the growth of a vast proletariat ; and the other two, viz., an extraordinary increase of pauperism and an unhealthy congestion in the towns were regarded as its inevitable consequences. Their apparently plethoric growth could not be arrested so long as there was a rapid influx of the expatriated country population into them, and unless it was arrested, the physique and vigour of the race were bound to deteriorate. Such a result, it was felt, must be disastrous, for England had so long owed her superiority on the Continent not to her wealth but to the courage and strength of her sons.

So the tradition of the partial legislation of the House of Lancaster was revived by Henry VII, when unable to grapple with the cause of the disorder, he tried once more to keep the agriculturists away from the towns. The measure failed signally as it was bound to do ; but it succeeded only too well in intensifying the misery in the rural disricts. He next tried the device, which was commended by Bacon, of "making farms and houses of husbandry of a standard, that is, maintained with such a proportion of land unto them, as might breed a subject to live in convenient plenty and no servile condition, and to keep the plough in the hands of the owners and

not mere hirelings." But the scheme fell through, probably because the justices of the peace who might have translated it into a reality were themselves deeply interested in sheep-farming. A more serious attempt to gauge the extent of the evil and to supply an adequate corrective was made in the reign of Henry VIII. An Act of 1515, after pointing out how husbandry, "the greatest commodity of the realm for the sustenance of men", had declined, how churches had been allowed to fall into decay and divine office had been suspended or given up and how the public health had suffered by accumulations of filth in the cellars of delapidated houses, decreed the reconstruction of farm sheds and the restoration of newly converted pasture to tillage. But the remedy reached not the disease, which grew with the growth of international commerce. About this time, there was a prodigious rise in the prices of wool and sheep ; and consequently husbandry was, in spite of state protection, in many instances abandoned. A fresh attempt was, therefore, made by the king to stem the industrial revolution ; Act 25 of his reign, after lamenting the general dearth of food crops and stating how some persons kept 24,000 and others 20,000 sheep, enacted that for the future no sheep master should have more than 2,000. How far this statute attained its object, it is now difficult to determine. But probably it met with no great measure of success, as Elizabeth not long after abandoned the policy of repression of the rival industry.

The displacement of labour was often attended by considerable hardship. Where the Tudor crofter's holding was appropriated for the extension of a sheep-walk, the simple things in the way of utensils and furniture which had taken generations to collect were disposed of at a forced sale and their unfortunate owner was left without an honest means of subsistence, for though the field of employment was growing in urban areas, yet he was not always able to secure a job at once. Hence the popular resentment was great against the landlords who practised this economy. They were called 'covetuous and insatiable cormorants',* especially as they were believed to "thrust out the husbandmen of their own by coneyn and fraud." It was all in vain that in order to avoid the indignation of the aggrieved party, they interposed the capitalist farmer as a kind of buffer between them and the new proletariat. This shifting of the responsibility for converting corn fields into pasture was a transparent deceit, which could not impose on people, who were deprived of their

* Compare the following passage from the *Jewel of Joy* by Thomas Becon.

They whiche in tymes past wer wont to be fathers of the contry, are now pollers and pyllars of the contry. They whiche in tymes past wer wont to be the defenders of the poore, are now became destroiers of the same. They by whom the common weale sometime was preserved are now become the caterpillers of the common weale......They are insatiable woulfes......So they may reigne, they care not who suffer pain.

heritage to which they had clung as their first and last resource. The proprietors were, therefore, prayed against instead of being prayed for, and the Deity was called upon to confound the knavish tricks of those who employed their powers of local government in establishing a monopoly over the land.

During the regimé of the feudal system, a sort of employer's liability to maintain all able-bodied dependants without reference to the amount of work that had to be done, had been tacitly recognized by the landlords. But with its decline, this expensive seignorial responsibility retreated to the background, and 'the right to shoot rubbish of this sort on the nearest town' was generally exercised. The credit of this triumph over old traditions is given to the acquisitive spirit of a new race of proprietors, who came into existence after the gigantic spoliation of ecclesiastical property in the third decade of the sixteenth century. 'After the Reformation,' says Hubert Hall, 'a violent land fever raged in town and country. The Crown was a ready seller of the confiscated estates and found still more eager buyers' among the courtiers out of whom it made its new aristocracy. But the change of proprietorship was not confined to the church lands, nor were the courtly favourites the only gainers in this agrarian revolution. Officials, lawyers, successful merchants and usurers appeared as bidders in the market and bought out many of the ancient owners, who owing to mismanagement and extravagance were losing their hold

over the land. But whatever might have been their rank and antecedents, these new masters adopted to a man the new commercial principle and joined in an attempt to wrest from the tenants their hereditary title to their holdings.* And when they could not effect this at once, they employed the exceptional offers of the rich and prosperous owners of sheep as a sort of leverage and introduced a system of rack-rents which spelt ruin to the poorer agriculturists at no distant date.

Customary tenancy, whatever its defects might have been, had "preserved the greater part of the subjects from extreme poverty and kept the wealth of the realm dispersed and distributed in many hands." The new order led to its concentration in the hands of landlords and enterprising capitalist farmers. This transference of property was, no doubt, followed by a remarkable increase in the productive power of the nation. But even where it was not accompanied by the decline of agriculture and of the demand for agricultural labour, it injuriously affected many of those who had lived comfortably under the old regime. "My father,"

* There is some difference of opinion among scholars about the responsibility of the new landlords for enclosures. For while some are positive in asserting that the movement received an impetus after the transference of the property of the church to laymen, Prof. Ashley limits the "precipitate change" to the sixty years between 1470 and 1530, and says that, after 1530, the movement slackened.

said Latimer, "was a yeoman and had no lands of his own, only he had a farm of three or four pound by year at the uttermost, and hereupon he tilled so much as kept half a dozen men. He had walk for a hundred sheep, and my mother milked thirty kine. He was able and did find the king a harness, with himself and his horse......He kept me to school ......He married my sisters with five pound...... apiece.........He kept hospitality for his poor neighbours, and some alms he gave to the poor. All this he did off the said farm, where he that now hath it payeth sixteen pounds or more, and is not able to do anything for his prince, for himself, nor for his children, or give a cup of drink to the poor." Latimer certainly did not refer to an exceptional case in these words ; and it may be assumed that wherever there was a similar enhancement of rent, all the social and economic relations that had grown up under the earlier economy were seriously disturbed by it.

The treatment accorded by proprietors to the peasants in this period has been used by communists as an argument against landlordism and even against the capitalist mode of production. But their statement of the case is not free from bias ; and in their conclusions, the distinction has not been everywhere maintained between the ethics of the expropriation and its economic consequences. This confusion has led to some confusion of thought about the relative merits of the modern system of tenure and that

which obtained in the Middle Ages. It is necessary, therefore, to review their position with care, especially as it is based on a theory of the genesis of property in land which has been often accepted without sufficient examination. The following paragraphs present their view of the case with all the fulness that is required for purposes of criticism.

From the eleventh century to the close of the fifteenth the great barons were, according to these writers, public functionaries with important political, judicial and administrative duties ; and rent was, therefore, more a political than a commercial payment. Even bishops and abbots who held on the condition of knight service had to maintain soldiers on their estates for the defence of the realm ; and the destitute had a share universally recognized in the tithes of the Church. From this fundamental principle of feudalism followed the fixity of rent, for, if the income of the landlord was a reward for the services which he rendered to the community, he had evidently no right to enhance it at his will. This rationale of seignorial right was originally applied even to the royal possessions ; the Crown had extensive estates ; these, however, were at first its chief sources of revenue. But after the monarchs were able to secure supplies as gifts from trading cities or by votes of their Parliaments, they unscrupulously alienated the royal demesnes. A legitimate source of income was thereby sacrificed in favour of courtly favourites and powerful ministers. Against such

unwarrantable squandering of public resources, Parliament protested again and again, and sometimes effected a resumption of the alienated estates ; but its remonstrances were oftener treated with supreme indifference.

The significance of the arbitrary conduct of the rulers could not be lost upon the nobles of the Tudor period. These astute worldlings saw pretty clearly how it implied that landed property was not to be regarded as a sacred trust, and that the rights of the landlord were not to be construed as pledging him to definite duties. The ruler favoured such an interpretation ; for he aimed at solid power and was at the same time afraid of exasperating the baronage. The extension of his jurisdiction had its counterpart in the resumption of such powers and duties as had been delegated to the peers of the realm. In order, however, to disarm influential opposition, an adequate set-off against the loss of valuable local privileges and rights was provided to the nobles in the almost complete surrender of the labouring population to their mercy. They were, of course, quite as anxious for such a readjustment of relations and liabilities as the Crown itself. The annals of the period show how far they stretched their new proprietary right and how circumstances bent or adapted themselves to their interests. The commutation of services for cash payments, which had been a genuine improvement in an earlier epoch, facilitated the exploitation of the peasantry. The competition for

holdings could not be very keen so long as labour was the consideration universally demanded and offered. But when money came to be accepted by the landlord, it became possible for comparatively rich men to bid for the peasants' property in order that they might convert it into sheep-walks or use it for other purposes. Relying on the willingness of the latter to come forward and pay a higher price, the proprietors challenged the fixity of rent and set it aside, as opposed to the commercial spirit of the modern world. This, however, was the thin end of the wedge ; for in the right of the landlords to claim an enhancement of rent was involved the other right of ejecting those who were unable to pay the enhanced value.

Feudalism fell on the field of Bannockburn ; it may be said to have completely disappeared with the close of the Wars of the Roses ; but out of its ashes arose a new order of things and a new conception of property, which have dominated industrial life in the United Kingdom down to the present time. The feudal baron, even when racial animosity and the spirit of aggression were at their height, could not conceive of himself as possessing that free and unqualified title to his fief which the modern landlord has to his estate. He was in the fullest sense of the expression a public officer, and was paid for his services in the manner which was then most convenient for all parties. He had to provide for the defence of his district and for the administration of

justice in it, to relieve the distressed and to educate at his own expense the sons of the poor in useful crafts. For such manifold services, rent was the consideration ; it was the wage of the highest kind of work done in the community. But under the rule of the Tudors, laws were passed in parliament after parliament to exempt the barons from such feudal services as they had still to render. The divorce of proprietary right from its duties and responsibilities which was thus effected allowed them at last to enjoy their rents for nothing.

The centralising policy of the new monarchy was, no doubt, a decided advance on the feudal anarchy and isolation that had been in evidence since the days of Richard II. But in its anxiety to purchase absolutism at all costs, it neglected to sufficiently safeguard the interests of the tillers of the soil. It was not perceived that the peers had no pretensions to absolute proprietary powers, after they had ceased to perform those functions which had given them their exalted place in the commonwealth.* One could not even pretend that the vast estates which they enjoyed were the rewards of services rendered

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* Gascoigne seems to endorse this view when he says,—
O Knights, O Squires, O Gentle blouds yborne,
You were not borne al onely for your selves :
Your countrie claymes some part of al your paines.
There should you live and therein should you toyle,
To hold up right and banish cruel wrong,
To help the pore, to bridle back the riche.

to the community by their ancestors. The great race of feudal barons had come to an end with the king-maker,—the race which had conquered England, protected her from foreign enemies and curbed the aggressive spirit of domestic tyrants. Courtly favourites had crept into their places, and they maintained themselves therein by the arts of the sycophant. And yet they claimed proprietary rights more complete than had ever belonged to their predecessors. The fact is that the new nobility was true to the spirit of the new era ; it cared more for wealth and splendour than for power and the duties that belong to it. It was anxious, above all, to have the highest price for its commodity and was, therefore, opposed to the regime of custom, which had in the best days of the feudal period protected the cultivator by assuring to him fixity of tenure and of rent. Competition thus became the watchword of the epoch which was heralded by its accession to property and influence. And in the antagonism of interests which necessarily followed, the peasants as the weaker party had the worst of the fight. Even the capitalists and merchants for different reasons conspired against them and made common cause with their tyrants.

This unholy coalition was in evidence when in the reign of Henry VIII, the great religious houses were broken up, and the abbey lands were given away to the temporal aristocracy. That arbitrary measure proved a terrible wrench to society, as it not

only redistributed one-third of the wealth and one-fifth of the land of the country, but transferred them from a more or less popular section to a needy and exclusive caste. The mischievous result of the resumption and regrant showed itself in more ways than one, though some historians emphatically repudiate the idea that they had anything to do with the multiplied troubles of England in the sixteenth century. The clergy had always been indulgent landlords ; and as a consequence, their tenants had been comparatively well off ; but this invidious distinction between the tenants of the Church and those of the temporal lords came to an end with the spoliation of ecclesiastical property. Moreover, the diligence with which the members of the regular orders had improved their holdings and the communications between their abbeys and their properties, and the demand which their residence among the people had created for different kinds of country produce, were sadly missed when the land passed to absentees. And at the same time, the obligation, which the Church had recognized of aiding distress and obviating the worst results of destitution, ceased practically to exist with the confiscation of the property which had constituted the fund for eleemosynary support. Parliament saw these evils ; but it did not care to remonstrate. It refused to interfere even when the peasants were "got rid of either by fraud or force or tired out with repeated wrongs into parting with their property." The lower

house was composed mainly of capitalists and successful traders. The latter hoped to acquire one day vast estates, and as prospective landlords, they wished to see the time-honoured rights of the cultivators ignored by the legislature. The capitalists also invested largely in land. Besides, it was their interest that the country should have a poverty-stricken labouring population, eager to work on subsistence allowance in their manufactories and workshops. Thus industrialism was built up in England on the iniquity of the landlords and the interested support which it had from influential classes.

The growth of able-bodied pauperism must also be connected with the commercialism of the new proprietors and the introduction on their estates of capitalist farming. In feudal times the landlords had been responsible for the maintenance of paupers in their districts. Besides, as almost the entire rural population had some sort of property in land, extreme destitution was rare, and no special institution other than the ecclesiastical machinery for the dispensation of alms was required for the relief of the indigent. But after the decrease in the demand for agricultural work caused by the extension of sheep farming, the nobles avoided their responsibility in the matter. At the same time, the fund out of which the claims of poverty had till then been met, disappeared with the confiscation of church property. The circumstances demanded, therefore, an immediate organisation of a regular system of poor

relief. But legislation at first treated the homeless and occupationless agriculturists as criminals and assumed that it depended on their will to go on working under the old conditions which no longer existed. By a statute of 1530, Henry VIII ordained that able-bodied adults who had no ostensible means of livelihood should be tied to the cart's tail and mercilessly whipped, and that after a second arrest, the whipping was to be repeated and half the ear sliced off, and that if this did not correct them and they were still unable to find employment, they were to pay for their indolence or misfortune on the gallows. By such class legislation did the jolly monarch get rid of no less than 72,000 malefactors, many of whom were rufflers simply because no honest means of earning a livelihood was open to them. Even in the merry England of Elizabeth, unlicensed beggars above fourteen years of age were severely flogged and branded on the left ear for the offence of vagabondage, and in case of a relapse, were executed unless some one took them into service. Thus did the great queen "truss up rogues apace," causing the executioner to remove from this troublesome world every year about four hundred of these unfortunate men, who had been more sinned against than sinning.

At last the terrible increase in the number of executions led statesmen to suspect that some other mode of relieving the poor might be necessary, that the terrors of the criminal law could not be relied on

for scaring poverty away from the land. So in 1601 was elaborated a new national system of helping the poor, which allowed the parochial authorities in consultation with the justices of the peace to tax the inhabitants and to distribute the proceeds in charity. But even this arrangement was fraught with a serious danger which soon manifested itself. Parishes differed widely from one another in their resources, and consequently there was a deliberate concentration of the poor on those where the common waste was tolerably fertile and the parish stock large. In order to remedy this evil, Charles II passed a law of parochial settlement, which clearly pointed out for what poor each parish could be held responsible. It authorized the justices to remove by warrant on the complaint of church wardens and overseers and within forty days of his arrival any person who had settled in a tenement under the yearly value of ten pounds to the place where he was last legally settled, unless he could give adequate security for the discharge of the said parish.

The provisions of this Act operated like serfdom in tying the labourer to his native place and preventing him from seeking employment elsewhere. With the collar thus securely fastened round his neck, he naturally yearned for that ecclesiastical benevolence which had implied no galling restrictions and no hopeless degradation. Most of the monasteries had casual wards, where the homeless wanderer in quest of an honest job had not to present any sort

of credentials or to answer awkward questions in order to obtain a hearty meal and a few pieces of silver 'to cheer him on his departure'. On the other hand, the cross might have been lightened for him by sympathetic treatment and kind words calculated to arm him with fortitude and to inspire him with the hope of better days. All these arrangements which had disguised from misery the extent of its degradation disappeared with the old order. At the same time the feudal machinery of bondage was set in motion by throwing back the pauper on to the place of his birth and chaining him to it.

I have tried in the foregoing paragraphs to state as fairly as I can the historical arguments advanced by socialists in favour of the abolition of landlordism. I shall now point out why it is impossible to accept their interpretation of history without important qualifications. The first thing to be noted is that they have imported modern ideas into mediæval relations in their explanation of the origin and nature of rent. Baronies were not created at the Conquest with the object of inducing the grantees to protect the people in the enjoyment of their rights and to look after their welfare. They were the price paid by the Conqueror for service on the field of Hastings as well as a prepayment for similar service, should the occasion arise for demanding it. There was no thought of safe-guarding the interests of the masses in creating these feuds. On the other hand, they were looked upon as necessary adjuncts, without

which the grants would have been valueless. The nobles acquired, therefore, along with their estates an indefeasible claim to the labour of the men who lived on them. This right was, in the theory of the Norman jurists, absolute, and in practice also it was sufficiently oppressive at first. The peasants had, as a matter of fact, very little independence even before the Conquest. But after it, partly as a result of racial animosity and partly because a similar degradation had taken place on the Continent, they were regarded as mere chattels. All this sounds very unfair ; but the original iniquitous relation has to be taken into account in pronouncing judgment on the course of subsequent events.

The landlords had, no doubt, important judicial and administrative functions. But rent was not the consideration for a proper performance of them, for a number of fees and fines, more than adequate for meeting the cost of administration, was exacted from the people who were subject to their jurisdiction. The income from them was, in fact, sometimes more important than that from payments for the occupation of their lands. Besides, the lords were vested with magisterial powers not primarily to give the benefits of good government to the people, but in order to keep them in due subordination, so that in the hour of danger they might muster round their landlords as their natural leaders. Their obligations in this connection were, therefore, to the suzerain ; and it is reading history obliquely to regard them as

public officers in the sense with which modern democratic conceptions have familiarized us.

But even if rent were the wage of certain kinds of services, one does not see why it should have been incapable of enhancement. The labourers had even before the fifteenth century secured an enhancement of their wages ; and their plea had been that prices had risen. There was the same justification for an increase in rents, for the fall in the purchasing power of money was a source of embarrassment to the landlords as well. A distinction may, indeed, be drawn by saying that they were salaried officers of the government, who could not of their own accord improve their incomes. But the king had not objected to such an improvement and the law had permitted it. A baron of the fifteenth century could not under the circumstances be expected to take such an enlightened view of his duties and powers as would have assured to his tenants the enjoyment of their holdings at the old rates of payment. Besides, not only rent as measured in commodities, but even money rent had fallen in some places below their old level in the thirteenth century. And those who had put up with this decline had certainly a right to improve their incomes, when circumstances permitted it.

The truth is that fixity of rent works unfairly under a money economy. The value of money changes from time to time, and unless rent is adjusted to it, one or the other of the two parties

suffers. We can form some idea of the way in which customary tenure may operate by trying to find out what the financial position of certain educational institutions in Great Britain would have been now, if instead of wisely deciding to receive their rent in kind, they had sanctioned commutation at the rate of six pence per acre, which was current in the fifteenth century, and allowed it to stand up to the present day. The landlord's loss is, of course, the tenant's gain. And since in spite of occasional fluctuations, the purchasing power of money has shown a decided tendency to decline, the arrangement may be justified on the ground that it benefits the large body of producers at the expense of a small leisured class. But customary tenancy does not supply an adequate motive to the producers for doing their very best in the way of production. And it often prevents the land from coming into the hands of those who are best fitted to turn it to account. 'The magic of property, no doubt, sometimes turns sand into gold.' But the proprietary right must be complete in order to have this magical effect. The tenant, who has to pay rent and fines on alienation and succession, does not regard himself as the owner of his holding, even when the rent and the fines are incapable of enhancement.

It may, however, be said that the existence of a class of rent-receivers was no longer necessary, since it had ceased to render that military service, to which it owed its position and privileges. But a

price was paid for this exemption, and it was, moreover, never complete, since every land-owner as such was expected to fight for the defence of the realm. The price might have been inadequate ; but it was fixed by the ruler to whom the service was due ; and it had enabled him to raise and keep an efficient army for purposes of defence and attack. So the community had gained by the arrangement, though the burden of a certain section might have been particularly lightened. The same may be said of the resumption by the Crown of the magisterial powers which had been delegated to the landlords. Peace and order were, as a result of this change, better maintained, and the cost of maintaining them was probably less than it had been under baronial rule.

But was it not desirable to deprive the proprietors of their estates, after the important duties which they had once performed had been taken up by the ordinary machinery of government? The answer to such a question is that, apart from the fact that the Tudors were not strong enough for such a wholesale confiscation of the properties of an important and influential class, there remains the objection that the step, even if it were possible, would have proved an obstacle in the way of progress. For what was to be done with the land after the resumption? The Crown could not be trusted with it ; it wasted valuable resources when a fifth of the realty fell into its hands in consequence of the dis-

solution of the monasteries. A free gift of it to the copy-holders would not have improved matters. They had been, in fact, joint proprietors of the land for about three centuries, and their records were against them. During this long period, agriculture had decayed, the soil had lost its fertility, and only famine, war and pestilence had preserved the balance between population and the means of subsistence. These cultivators would, in all likelihood, have stuck to their bad old ways and might have failed to free themselves from the trammels of an extinct communism even if their financial position had been bettered by taking off their shoulders the inconsiderable quitrent which they had been paying. The landlords, on the other hand, took the fullest advantage of the new opportunities ; and the productive power of the nation as well as the recuperative powers of the soil showed a marked improvement as a result of their careful and economical management of their estates. Their enlightened and unfettered self-interest proved thus in the long run coincident with the welfare of the people. It safeguarded the interests of posterity and paved the way for the material greatness of England by securing the conditions of a progressive improvement in agriculture and other rural industries.

The statement has often passed unchallenged that after the confiscation of the property of the Church, a new race of landlords was created who never paid a fair price for their possessions. It is

only partially true, for many of those, who acquired their estates from the favourites of Henry VIII, had to pay an adequate consideration for them. The confiscation itself was, no doubt, an unjustifiable measure, and it added to the troubles of the age by diverting to other purposes the endowments which had till then been used for the relief of distress. But the lay landlords were not responsible in any large measure for this thoughtless misappropriation, as Henry VIII took the step in spite of the remonstrances of his commissioners and counsellors. And Henry himself and his successors were not completely indifferent to the claims of destitution at a time when destitution had been increased by a revolution in rural economy. But it was obviously the duty of the state to distinguish between men who could not earn a living owing to physical unfitness or adverse circumstances and those who preferred the freedom and exciting uncertainties of a vagrant's life to regular occupation and a modest wage. Stern laws were, no doubt, passed by Henry and his daughter ; but there is a mass of evidence to show that a corrective was required.* The civil authorities who

* The following sentence occurs in the preamble of 14 Eliz. Cap. V. —

Where all the parts of this realm of England and Wales be presently with rogues, vagabonds and sturdy beggars exceedingly pestered, by means whereof daily happeneth in the same realm horrible murders, thefts and other great outrages to the high displeasure of Almighty God, and to the great annoy of the commonweal.

were entrusted with the duty of ministering to the wants of the destitute were certainly less indulgent than the monks ; but they did not, like the latter, sometimes create the distress which they relieved. Overseers were appointed to collect poor rates and to distribute the proceeds among the needy ; but they had instructions to distinguish between the stalwart tramp and the helpless poor. Special measures were taken to provide work for the former, and he was punished only if he refused to make himself useful.* The Tudors have been blamed for trying to put down able-bodied pauperism. But such a step was necessary for preserving the morale and the industrial efficiency of the nation.

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* The following extract from 18 Eliz. Cap. III will tell the reader what these measures were—

............in every city and town corporate.........a competent stock and store of wool, hemp, flax, iron or other stuff......... shall be provided, the said stores.........to be committed to the custody of.........the mayor or other head officers.........to the intent every such poor and needy person.........able to do any work.........shall not for want of work go abroad either begging or committing pilferings or other misdemeanours.............. The collectors from time to time.........shall, of the same stock and store, deliver to such poor and needy person a competent portion to be wrought into yarn or other matter......... for which they shall make payment according to the desert of the work ;.........and if hereafter any such person able to do any such work shall refuse to work.........he, she or they shall be received into such house of correction, there to be straightly kept, as well in diet as in work, and also punished from time to time.

The enclosure of the common lands has been found fault with by some writers, because it deprived the poor cultivators of the opportunity of feeding their cattle and sheep on the stubble after the harvest was over. But if agriculture was to improve, it was necessary to abandon the bad old system of open fields, which had arrested development for many centuries. It prevented cross ploughing of the fields which were long and narrow strips. Harrowing was difficult ; and even if it could be done, there was not an adequate motive for cleansing the land so long as lazy neighbours allowed the thistle to run to seed on their plots. Lastly it stood in the way of a proper manuring of the fields, as they had to be thrown open to the beasts of the village after the harvest. These were only some of its drawbacks ; and it is no wonder, therefore, that there was an immediate and marked improvement in the rent of those fields which were enclosed. Besides, the movement was beneficial not only to the landed interest, but also to the entire community, because by facilitating intensive culture, it prepared the way for a considerable increase in the supply of foodstuffs.

The enclosure of the waste stands on a different footing. But it was not a new thing, and the landlords alone were not responsible for it, for peasants had often taken the liberty to add to their possessions by encroaching on the commons. Moreover, there was some sort of justification for the action of the landlords. For though custom prescribed the

joint use of the waste by the lord and the cultivators, yet it was in feudal theory his property, as the fee of the entire manor belonged to him. Rent or compensation was on this principle paid to him alone, whenever there was alienation of any part of the commons, though the question of the propriety of such an alienation was decided by the whole homage. Besides, the statute of Merton had authorized him to appropriate portions of the waste so long as sufficient land was left for the use of his tenants, while at the same time no rule had been laid down for determining what should be regarded as adequate for their purposes. Still it must be said that the prescriptive rights of the poor tillers of the soil were unjustly done away with, whenever the whole or a considerable portion of the waste was enclosed without offering due compensation to them.

The extension of sheep farming even at the expense of agriculture was, however, a gain to the nation in the long run. It gave the necessary period of rest to the land which had been exhausted by centuries of wretched cultivation. And it enabled England to accumulate some of that capital which was subsequently utilised in laying the foundations of her industrial and commercial greatness. But its immediate effects were not altogether satisfactory, as it threw out of employment a large number of men who had formerly maintained themselves by working as agricultural labourers. So there was discontent wherever arable land was laid down in grass ;

and the new tenants had sometimes to be protected from mob violence. But the displacement of surplus labour and its migration to urban centres proved an advantage to agriculture itself when the time came for breaking up the soil once more for tillage. For agriculture had suffered as much in the past from a plethora of hands as from defective methods of husbandry.

The shrinkage of the area under cultivation in this period has been represented by some writers as a national calamity. But it should be observed that the preference shown to sheep farming at the beginning of the new era was due more to the unremunerative character of husbandry than to the rise in the price of wool. The yield of the soil was poor and was getting poorer every year ; and it was better for the community as well as for the agriculturists that some of it should be devoted to a more lucrative industry, while the rest received a more careful dressing than before. There are reasons for thinking that the contraction of tillage was not accompained by a marked fall in the total yield. Population was almost stationary during the last two centuries of the feudal age ; and yet the harvest was in average years barely sufficient for the needs of the people, while scarcity and famine were familiar phenomena.* There was a remarkable increase in

* The severest famine ever experienced in England was that of the two consecutive years of 1315 and 1316......Scarcities.

numbers during the Tudor period ;* and yet England was soon able not only to meet her own wants but also to ship considerable quantities of grain to continental countries. The Tudors, in fact, could not be indifferent to the fate of agriculture,† for the naval power that they aimed at could be secured only by an increase of shipping, and of such an increase, a flourishing export trade in grain seemed to be the *sine qua non*. And yet the course of events convinced them that the attempt to stifle the rival industry would, if successful, arrest economic development. So the restrictive ordinances of the early years of the sixteenth century were allowed to fall into desuetude, while every effort was made to

or famines, almost as serious occurred......in 1321, 1351, and 1369. There was only one year of great scarcity during the fifteenth century, that of 1438......In the sixteenth the dear years were 1527, 1550 and 1551, 1554, 1555 and 1556, when the base money was in circulation.---Rogers, *The Economic Interpretation of History*.

* During the seventeenth century, the population was certainly doubled. The cause of this was partly immigration from France, Flanders, and Germany, of refugees from the wars of religion and persecution, partly the great development of the woollen industry, mostly the settlement of England north of the Trent.—Rogers, *The Economic Interpretation of History*.

† There could be no better proof of this statement than 39 and 40 Eliz. Cap. II, a portion of which is given below.

Whereas the strength and flourishing estate of this kingdom.........is greatly upheld and advanced by the maintenance of the plough and tillage, being the occasion of the increase and multiplying of people both for service in the wars and

directly foster agriculture and the export trade in grain.

But the fact that the progress of sheep farming was attended by satisfactory results can not justify the action of those landlords, who turned out their tenants or enclosed the waste without offering proper compensation for the injury. It is not strange, therefore, that there were frequent riots and that sometimes they assumed the magnitude of insurrections. For no amount of legal sophistry could white-wash their cynical indifference to human suffering or reconcile the ejected tenants to their arbitrary measures.

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in times of peace, being also a principal means that people are set on work and thereby withdrawn from idleness, drunkenness, unlawful games and all other lewd practices......; and whereas by the same means.........the greater part of the subjects are preserved from extreme poverty.........and the wealth of the realm is kept dispersed and distributed in many hands.........and whereas also the said husbandry and tillage is a cause that the realm doth more stand upon itself, without depending upon foreign countries either for bringing in of corn in time of scarcity, or for vent and utterance of our own commodities being in over great abundance; and whereas from the 27th year of King Henry VIII until the 35th year of Her Majesty's most happy reign, there was always in force some law which did ordain a conversion and continuance of a certain quant'ty and proportion of land in tillage not to be altered; and that in the last Parliament.........partly by reason of the great plenty and cheapness of grain.........and partly by reason of the imperfection and obscurity of the law made in that case, the same was discontinued; since which time there have grown many depopulations by turning tillage into

Parliament might have stepped in to protect the interests of the poor ; but Parliament meant in those days the landed nobility and gentry and a few merchants and lawyers, who hoped to rise in the social scale by acquiring real property. The law courts could not protect them, because the judges had a direct interest in explaining away their rights, and the cultivators of an earlier generation had in many instances burnt the manor rolls and thus destroyed the legal evidence of their title to their holdings. The situation illustrated only too well the dangers incidental to landlordism, when the tenants are small men and all real power in the state is vested in the landlords and their allies.

But the suffering caused by these enclosures and evictions has been greatly exaggerated by those who have taken their cue from certain writers of the

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pasture, than at any time for the like number of years heretofore : Be it enacted.........that whereas any lands since the 17th of November in the first year of Her Majesty's reign have been converted to sheep-pastures or to the fatting or grazing of cattle, the same lands having been tillable lands ....by the space of 12 years together at the least next before conversion.........all such lands shall before the first day of May 1599 be restored to tillage.........and so shall be continued for ever.

And be it further enacted, that all lands which now are used in tillage, having been tillable lands.........by the space of 12 years together at the least.........shall not be converted to any sheep-pasture or to the grazing or fatting of cattle......... but shall.........continue to be used in tillage.

period. And there is very little evidence to support the statement that the population "diminished inestimably" on account of them, and that by the middle of the sixteenth century about two-thirds of the land in the country went out of cultivation. The innovation was confined mainly to the midland districts, and even in them it was far from being general. It was nowhere more thorough than in Northamptonshire ; and yet after a couple of centuries of consolidation of separate farms by the proprietors, "the main body of the country was still champaign (open field)......the enclosures lay dispersedly up and down in the county." The change in the agrarian economy was really one of small beginnings ; and though it might have been accelerated by the dissolution of the monasteries, yet throughout the period, it was more or less of a sporadic character, resulting in the formation of a number of scattered channels of enclosed fields surrounded by wide stretches of open country.

There is much, indeed, in the literature of the latter half of the sixteenth century, which would seem to suggest that the shrinkage of the arable area and the consequent displacement of labour were very rapid in this period. But a careful examination of the facts that bear upon the subject does not justify these vociferous complaints. Grain prices appear to have been fairly steady, when due allowance is made for the disturbing influence of a considerable influx of the white metal. Besides, in the reign of Elizabeth, the exchequer relied on the duty on exported corn

as an important source of income, and it was found possible to double this duty in 1593. The range of grain prices and the growth of the export trade in spite of taxation are both of them conclusive proofs of an appreciable improvement in the total yield, for they were in evidence in a time of general prosperity and rapid increase of population. This improvement is not sufficiently accounted for by the superior husbandry of the enclosed fields, if it is assumed that there was at the same time a considerable decrease in the extent of the land under the plough. So one feels inclined to accept a recent estimate that less than five per cent of the total area was affected by this agricultural change from its inception in the middle of the fifteenth century to the close of the sixteenth. The movement was at any rate gradual and not of the nature of an alarming revolution. Still there must have been a good deal of suffering, though it was probably caused more by the ignorance and conservatism and consequent immobility of labour in the sixteenth century than by the inevitable difficulties of the economic and social adjustment that was rendered necessary by the change in the agrarian economy.

There was, as already observed, another kind of enclosure, viz., the fencing in of the waste, which hit the smallest men in the rural districts very hard. Though dating from the time of the statute of Merton, it was resorted to on a comparatively large scale in the period under review. And if we are to

judge by the number of actions, it caused more strife and trouble than the attack on the open fields. Besides, unlike the latter, it was not confined to the midland districts, but took place in almost every part of the country. The discomfort which it caused must have been considerable, as the crofters and labourers had always improved their miserable wages by keeping a cow and a few pigs which had till then grazed on the waste. It is not strange, therefore, that of the instances of oppressive enclosure which were brought to the notice of the Privy Council, almost all had reference to the appropriation of the commons.

But without minimising the amount of suffering mental as well as physical which was thus caused, it may be said that the movement as a whole was a blessing, in as much as it saved England from industrial stagnation and poverty and brought about an immediate improvement in the culture level. Even contemporaries were not all of them blind to its merits or to the drawbacks of the system that it overthrew. Thomas Starkey, chaplain to Henry VIII, observed so early as 1538 that since "our food and nourishing standeth not only in corn and fruits of the ground, but also in beasts and cattle, no less necessary than the other, there must be provision for the breeding of them as well as for the tilling of the earth, which can not be without pastures and enclosure of ground." And he pointed out to his countrymen that if "your plenty and abundance of wool were

not here maintained, you should have little brought in by merchandise from other parties, and so we should live without any pleasure or commodity." The crofters, it is true, had no share in this pleasure or commodity. But useful work and better wages were awaiting them in urban areas ; and it was sheer waste of resources under the circumstances to keep valuable land in a state of nature, in order to ensure to them a miserable existence in the country.

To the suitability of enclosure for purposes of tillage, equally emphatic testimony was borne by Thomas Tusser, who was born in 1523. After condemning the compulsory co-operation with the lazy and the shiftless under the open-field system, he declares unequivocally in favour of enclosure, for says he,

> More plenty of mutton and beef, corn, butter
> and cheese of the best
> More wealth anywhere (to be brief), more
> people more handsome and prest
> Where find ye, go search any coast than
> there where enclosure is most.

In fact, the merits of the new system were tried by the two rival industries that held the field in the country, and it stood the test well. In the first quarter of the sixteenth century, an attempt was made in certain places to combine the rearing of sheep with tillage in what is known as convertible husbandry. "A portion of arable land was laid down in grass for a period of years, after which it was

broken up again and used for tillage for a time. This gave a better chance for the land to recuperate than the fallowing every second or third year." And consequently the system was largely adopted, and enclosure was carried out in the interests of tillage and grazing alike. But the price of wool ceased to rise about the middle of the sixteenth century, and it remained stationary throughout the seventeenth. This depression in the woollen trade gave agriculture its chance, and tillage and cattle breeding became once more the most remunerative industries. Improved methods of cultivation were introduced from Flanders and Brabant about this time; the fallow was utilised for roots as well as for raising cabbages, celery, hops and carrot, and a considerable tract of waste land was brought under the plough. The progress was even more rapid in the eighteenth century, in the course of which mechanical improvements for minimising labour were brought into use as great common fields or waste lands were enclosed. The cultivation of the turnip led at the same time to the disuse of the fallow and to a proper rotation of crops.* It amounted, in fact, to an extension by one-third of the cultivable area of England, while the superior cattle-food provided by it improved the breed of the domestic animals. "The average weight of beeves at Smithfield went up from

* The Norfolk course, which was corn, clover, corn, turnip; while the open-field course had been corn, corn, fallow.

370 lbs. in 1710 to 800 lbs. in 1795; sheep increased from 28 lbs. to 80 lbs., and calves and lambs in proportion." The new crop helped the farmer in another way, for by making stall-feeding possible in winter, it provided him with a plentiful supply of manure. And about this time frequent and liberal manuring was resorted to in the east of the country.

But all these improvements would have been impossible, if the open-field system, the bad legacy of a defunct communism, had continued to handicap industry and enterprise. The holder of a number of detached and unfenced strips could not profitably grow clover or turnips. He could not properly manure his lands, for they had to be thrown open to the domestic animals of his neighbours as soon as the harvest was gathered. And lastly though he could buy good sheep and cattle, he could not prevent them from deteriorating by infection, if he had no pasture of his own and was, therefore, obliged to turn them out on the village commons with the other village beasts. The progress which I have described was due, no doubt, to a new race of farmers who bought out the yeomen and who possessed superior wealth, intelligence and knowledge. But even they could not have accomplished much, if they had been encumbered by the trammels of a worn-out and mischievous system.

The superior advantages of the consolidation and enclosure of farms are seen most clearly by comparing the districts in which they were most in evi-

dence with others which clung for a considerable time to the old economy. Kent, Essex, Suffolk and Northamptonshire were the enclosure counties par excellence in the sixteenth century, while the movement was fairly strong also in Oxfordshire, Berkshire and Buckinghamshire. And these were among the richest, best cultivated and most densely peopled counties in the middle of the eighteenth century. Kent, which had been described by Stafford in 1581 as ahead of other counties in respect of enclosure, was in Arthur Young's time noted for its superior husbandry. And Essex, which Tusser had mentioned as illustrating the advantages of enclosure, was the first county where turnips were cultivated as a field crop. But the greatest improvement in the first half of the eighteenth century was to be found in Norfolk. Its excellent rotation of crops and intensive culture received high praise from Arthur Young, and he gave seven reasons for the general prosperity of the district. Among these were enclosure without assistance of Parliament and the division of the county into large farms. "Great farms," said he, "have been the soul of the Norfolk culture."

The enclosure movement which had shown signs of abatement since the middle of the sixteenth century gathered strength once more in the latter half of the eighteenth. And it is significant that it provoked little opposition and that public opinion seemed even to favour it in certain parts of the country. There were two reasons for this change in the atti-

tude of the people. Labour in the eighteenth century was much more intelligent and mobile than it had been in the sixteenth, when the dead weight of old traditions and an almost extinct system still lay heavy on it. And secondly, a hundred and fifty years of experience had demonstrated conclusively the superiority of the new system of farming. Nothing, in fact, could be a better eye-opener than the difference in the results obtained by the two systems that existed side by side. Arthur Young compared the yields of open land and enclosed fields at Risby; and the figures that he obtained are shown in the following table:—

	Open land. Bushels.	Enclosed field. Bushels.
Outturn of wheat per acre ...	17·18	26
,, barley ,, ...	36	40
,, oats ,, ...	32	44
,, beans ,, ...	28	32

But even this comparative estimate could not be taken as an adequate measure of the inferiority of the open-field husbandry. Its drawbacks for the purposes of wool growing and cattle breeding have been already dwelt upon. There were others also, which though they could not be expressed in terms of pounds, shillings and pence, were none the less real. For instance, it prevented enterprising farmers from shaping their plans without reference to the prejudices of their neighbours. It involved waste of time

and energy, for less of both would certainly have sufficed for the culture of compact farms. And lastly it was a perpetual source of quarrels regarding boundaries and rights of pasture in the stubble and the commons.

One need not, therefore, be surprised that the old system with its manifold defects lost ground among a people whose new watchword was progress. Arthur Young observes that between 1760 and 1770, there were "more experiments, more discoveries and more general good sense displayed in the walk of agriculture than in an hundred preceding ones." In fact, the passion for agricultural improvement became general soon after the accession of George III. "Farmer George" himself led the way and encourged the prevailing tendency by teaching that a well-developed estate was the best investment for superfluous wealth. The average produce of wheat was already 25 bushels per acre ; and there was every motive for augmenting the produce. Even patriotism came to the aid of self-interest in the matter during the long war with France, for it was felt that the only chance of successfully resisting the aggressive policy of Napoleon lay in the ability of the country to produce all that it needed in the way of necessaries and comforts. But what obviously stood in the way of such a consummation was the open-field system with its intermingled strips and communistic regulations. An attempt to improve it so as to avoid the necessity of breaking up the common fields had been

made by Sir W. Dolbein's Act in 1773; but it had failed. It still occupied, however, about half of the arable area in central and southern England. So it had to be got rid of, if there was to be further progress. A private Act of Parliament enjoining enclosure could be obtained if the lord of the estate and eighty per cent. of the tenants jointly applied for it. Full advantage was taken of the option thus allowed, and as many as three thousand such acts were passed in the reign of George III, besides a General Enclosure Bill which was introduced by Sir J. Sinclair. "It is impossible", said Sir J. Sinclair on the occasion, "to suppose that the poor should be injured by that circumstance which secures to them a good market for their labour (in which the real riches of a cottager consists), which will furnish them with the means of constant employment and by which the farmer will be enabled to pay them better wages than before."

I have tried to show in the foregoing paragraphs that freedom from the trammels of communism was a necessary condition of agricultural prosperity. The movement against them was initiated and carried on by the landlords in their own interests. It does not follow, however, that landlordism is an equally indispensable factor of success. The case for English landlords rests on other grounds. But before dwelling on them, I must say that I do not believe landlordism to be the best of all possible arrangements under all circumstances. The experience of England justifies

its continuance there ; but the experience of many other countries has been very different. Even in England, the sins of the landlords have been many and great ; but the disservice which they have done has been outweighed by the services which they have rendered to the community.

As regards the disservices, we have it on the authority of Latimer that the landlords of the sixteenth century often inflicted a penal rise in rents or an excessive fine on renewal in order to get rid of their old tenants. Markham who wrote in 1649 tells us that the custom of marling land went out of fashion, because a tenant on a short or precarious lease could not think of enriching his landlord without any security that he should get the full benefit of his outlay. And Hartlib, whose Legacy of Husbandry appeared a few years later, while alluding to the uncertainty of fines on copyholds and other customary tenures, lays his finger on another source of annoyance and pecuniary loss to the poor cultivators, when he refers with considerable bitterness of feeling to the enormous increase in the number of dove-cots and pigeon-houses in the country. The remarks of these careful observers constitute an unimpeachable testimony to the manner in which the permanent interests of the people were sacrificed for the gratification of a short-sighted avarice or of an equally culpable love of pleasure.

Where the object of the landlord was not to eject the copyholder, but to wheedle him out of his joint

proprietorship, advantage was sometimes taken of his ignorance or stupidity to persuade him to exchange his heritable right for a terminable lease. "Making us believe that our copies are void, they compel us to surrender all our former writings, whereby we ought to hold some for two and some for three lives and to take by indenture for twenty one years." Such was often the complaint of the tenants ; but when the gentle means of misrepresentation failed, the steward had instructions to harass them in a hundred different ways till they were only too glad to acquiesce in the terms that were dictated. It was in this way that many copyholds were converted into mere leaseholds in the sixteenth and seventeenth centuries. But the landlords did not stop here, for they attacked the property of the socagers in the last quarter of the seventeenth century. This attack was more thorough and systematic, as it took the form of legislative aggression. The moment chosen was, indeed, highly opportune ; for after the Restoration, Parliament was supreme, and Parliament meant in those days the landed nobility and gentry. So after emancipating their estates from feudal dues at the expense of the general public and tying the labourer to the soil, they devised a new and speedy measure for annexing the properties of the smaller freeholers, whose number till then had been large. That measure was the Statute for the Prevention of Frauds and Perjuries, passed on the 16th of April, 1677. The very first clause in it provided that 'from and after

June 24, 1677, all estates and interests of freehold created by livery of seisin only or by parole or not put into writing and signed by the parties or their agents should have the force of leases at will only, any consideration for making any such parole leases or estates or any former law or usage notwithstanding.' This enactment was obviously intended to destroy, and it succeeded pretty well in destroying or reducing to tenancies at will those numerous freeholds which had been created by ancient forms of conveyance and were, therefore, not fortified by documentary evidence. Such was the treatment accorded to those whose ancestors had in an earlier epoch constituted the strength and glory of England in more ways than one. But the landlords gained immensely by this law and by the enactment which abolished feudal dues ; for these measures converted them into absolute owners of the estates to which their right had once been limited by the eminent domain of the feudal superior as well as by the prescriptive title of the copyholders and socmen.

After securing a monopoly of realty in this manner, they tried to perpetuate their hold over it by means of uses, entails* and secret conveyances. The uncertainty of titles which arose from the last

* Entails, says Adam Smith, were the natural consequences of the law of primogeniture. "They were introduced . . . . . to hinder any part of the original estate from being carried out of the proposed line either by gift, or devise, or alienation."

practice was even at the time of the Restoration a chief cause of the decline in rents and in the value of land. It dissuaded prudent men from a form of investment which involved considerable risk and annoyance and might end in their ruin. Free trade in land and a full development of its capabilities were even more effectually prevented by the legal tricks which bound it up with the fortunes of certain families. Their mischievous influence on agrarian industry would appear from the fact that owing to their operation, no one possessed such an interest in land as would have justified the full amount of profitable investment. "The ostensible owner, usually a tenant for life, could not make it, because he was handicapped by the terms of the settlement. The remainder-man could not make it, because he was not in possession. The tenant could not make it, because his interest was limited and he could not get compensation for improvement."

It can not, of course, be said that there was no alienation of land during the last three centuries; and one naturally wonders why in circumstances like these the farmers did not take care to purchase wherever possible proprietary rights over the fields on which their capital and labour were employed. But the reason was that political and social considerations gave to land except in certain short-lived periods of depression a value which was generally much higher than what economic calculations could pronounce as legitimate. The poor man

could not afford to buy it at a price which would have spelt ruin to him. And even during the temporary spells of depreciation, the would-be purchaser of ten acres found that the expense of conveyance would make a weighty addition to the cost of the land, while for the buyer of ten thousand acres, the price per acre was scarcely affected by the addition of the lawyer's bill.* Moreover, the maintenance of one's title to his landed property depended on the safe keeping of a large number of documents ; and this implied a risk which the small man was not always prepared to face. And as for the enterprising and educated farmers, they were debarred from becoming owners of land by the

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* The peculiar system of private conveyance which has grown up under the shadow of the Statute of Uses has made it needful for purchasers to secure themselves against the constant danger from secret transfers and secret charges by an examination of the history of the property as evidenced by title-deeds.........Almost always this operation requires some professional skill; often it requires much. In all but the simplest cases the process is a long and costly one. The expense falls on the buyer, and in the case of small properties acts as an exorbitant tax added to the purchase money. Indeed, large properties are better off; for there are some properties of which the possession and the title are historical ....In 1862, an office of Land Registry was established, and the offer of a state guarantee and great simplicity in future dealings was held out to owners who could satisfactorily prove their title......... But the inevitable weakness of this scheme of optional registration is that it is not the apparent interest of the landowner save in exceptional cases to register.—Pollock.

extreme rarity of sales of comparatively large properties and by their abnormally high price caused by the competition of men who rated social consideration above pecuniary gain. There was another circumstance, pointed out by Arnold, which must have operated in favour of the lordly idler. To an industrial purchaser, long delay in the establishment of his title, sometimes extending over a year, was a serious matter. But it did not in the same degree affect the man of leisure, for whom acquisition of realty was a mode of disposing of his cumbrous wealth. Thus owing to these highly artificial conditions, proprietary right in land was a luxury for the rich, but an unprofitable investment for others, because of its "costliness of purchase and the still more discouraging prospect of continuing costliness to hold."

It has been said that landlordism has impoverished the nation by shutting out in this manner a legitimate object of ambition from the farmers. But has the evil been obviated in any measure by the adoption of a liberal policy by the landlords? I shall first state what a determined opponent of the existing system of tenure has got to say on the subject. According to Arthur Arnold, the landlords have as a rule let their land, part of it on lease, but the greater portion on yearly tenancy. As a rule too, they have thought as much of sport as of improvement. "Many, who could spare the money, did not feel sufficient interest in the land of which

they were but life-tenants. Others who did take a personal interest in their property preferred to spend their surplus in the purchase of more land." And improvements could not be expected from those who were in embarrassed circumstances and were anxious to pay off charges upon their estates or to save money out of which they might give portions to their younger children.

The farmer might have done what the landlords failed to do ; but the preferential security which the law guaranteed to their claim for rent often prevented them in the last two centuries from being sufficiently cautious as to the character, education and capital of the would-be tenant. "The least responsible men were not seldom the highest bidders in the matter of rent, partly beause being ignorant, they were less able to judge the real value of the land and partly out of the carelessness which is often seen in men who have very little to lose." Landlords, it is true, did not always close with actual adventurers ; but they generally availed themselves of the latter's readiness to come forward as a leverage for forcing solvent tenants to accept more unfavourable terms than they would otherwise agree to. The hard conditions, with which they were thus saddled as a result of unfair competition, were at the same time unaccompanied by the only circumstance which could have rendered them tolerable. Long leases were rare in England, because the proprietors were anxious for sport and hoped also to screw up

rents at each recurring settlement. But improvements or even a generous treatment of the soil could not be expected from tenants when the landlord might at the end of the season appropriate the value of their unexhausted improvements.*

Arnold's account of the relation between proprietors and their tenants is certainly overcoloured. I shall, therefore, state here a few well-ascertained facts which show how much English agriculture owes to the owners of the soil. Even in the seventeenth century, there were considerable tracts in England, which had never felt the ameliorating influence of human industry. The large district of Yorkshire was a wilderness with a few insulated patches of culture round small villages of rude cabins. Vast stretches of heath were in evidence in other northern districts, and the flat eastern counties were mostly undrained swamps, while labyrinths of

* Such was the verdict of Adam Smith among others. 'The farmer,' said he, 'compared with the proprietor, is as a merchant who trades with borrowed money compared with one who trades with his own. The stock of both may improve, but that of the one, with only equal good conduct, must improve more slowly than that of the other, on account of the large share of the profits which is consumed by the interest of the loan. The lands cultivated by the farmer must in the same manner, with only equal good conduct be improved more slowly than those cultivated by the proprietor, on account of the large share of the produce which is consumed in the rent, and which, had the farmer been proprietor, he might have employed in the further improvement of the land.'

underwood and forbidding morasses occupied no small portion of the land elsewhere. But they presented a very different appearance in the latter half of the eighteenth century ; and the improvement was due almost wholly to the wealth and enterprise of the landlords. Districts which had been exposed to destructive floods were drained by means of canals at their expense. The salt marshes of Essex and the low lands of Norfolk were protected by embankments against the encroachment of the sea. Waste lands were reclaimed and rendered fertile by a liberal employment of manure. And permanent improvement of farms involving considerable outlay was undertaken in various places and effected.

In the eighteenth century, the landlords addressed themselves to the difficult task of overcoming the conservatism which had characterized agriculture for ages. The application of science to it was attempted at their instance ; and others profited by the lessons which they were the first to learn from experts and Continental farmers. Their tenants took up improved methods of tillage and new courses of rotation after these had been tested on their lands. Marling was thus revived and soils came to be treated with clay, chalk and lime. The result was a remarkable increase of productive power which gave to the farmers of the eighteenth century crops four times as heavy as those which had been reaped by the copyholders of the fourteenth. But this was not all, for their influence was felt also in the more or less

general adoption of mechanical contrivances for minimising labour. The example of their experimental farms had an educative value in this respect, which it would be impossible to overestimate.

Even the mischief that they did in trying to make themselves absolute owners of their estates proved a blessing in the long run. The copyholders and smaller freeholders, who suffered in consequence of their ambition, were wedded to a predatory system of tillage and often bound by communistic rules that stifled industry and enterprise. Besides, they were generally too ignorant and poor to rightly appreciate the trend of the new economic forces and to shape their course accordingly. Improved methods of cultivation were adopted by a new race of farmers, who took their places and who possessed greater wealth, intelligence and knowledge. The landlords, no doubt, led the way; but even they could not have achieved much if their efforts had not been supplemented by those of men who were rich enough to pay for the consolidation and enclosure of their farms and for an extensive employment of costly tools and machines on them. It was really a change from subsistence farming to production on a large scale with a view to the market, and it had its analogue in the steady displacement of domestic industry by the factory system. Social and economic progress had prepared the way for such a change, and it was probably inevitable. But the aggressive policy of the landlords accelerated it in a

manner that entailed considerable suffering on the yeomen. And it must be admitted that the contempt which they showed for the rights of others in trying to intensify their own proprietary right is the greatest blot on their escutcheon.

It is not, however, correct to describe the transfer of property which took place as having benefited only a small and exclusive caste at the expense of the rest of the community. For in the seventeenth and eighteenth centuries, the ranks of the landowners were swelled by men from the circles of trade and finance. There was a remarkable expansion of England's oversea commerce from the days of Queen Anne to the commencement of the war with rebellious America. And money made in trade and industry was largely spent in buying up small estates and binding them together by means of entails. Capital took this direction partly because landed property was considered to be a perfectly safe investment and partly because when sufficiently large, it gave to the owner social consideration and valuable political privileges. It was, therefore, not unfrequently the last reward of successful enterprise, just as the necessity of parting with it was the penalty paid for slovenly farming. Besides, the properties that thus changed hands were not always the holdings of unsuccessful yeomen. In the west of the country at least, many families which had the right to armorial bearings sold their heritage because they could not properly manage it. Property, there-

fore, passed in many instances from incompetent hands to those who were resourceful and experienced in business ; and wherever there was such a change of ownership, the benefit of it was reaped by men who had originally belonged to the same social grade as the copyholders and small freeholders.

But it is sometimes contended that the gain to society and to agriculture would have been much greater, if circumstances had permitted the farmers to acquire ownership of the lands of which they were merely the lessees. And in support of such a contention, it is said that throughout the eighteenth century their ardour for improvement was often checked by the uncertainty of their tenure. One might also add that the capital spent on improvements would have been more judiciously applied, if it had come from the savings of the farmers and not from the revenues of the landlords*. But where

* Adam Smith thought that great proprietors were disqualified by their training and habits from becoming great improvers. "To improve land with profit," says he, "like all other commercial projects, requires an exact attention to small savings and small gains, of which a man born to a great fortune, even though naturally frugal, is very seldom capable. The situation of such a person naturally disposes him to attend rather to ornament which pleases his fancy than to profit for which he has so little occasion.........He embellishes perhaps four or five hundred acres in the neighbourhood of his house, at ten times the expense which the land is worth after all his improvements; and finds that if he was to improve his whole estate in the same manner, and he has little taste for any other,

the same defects had to be remedied in a number of farms comprised in a big estate, there was economy in undertaking the work as a whole instead of breaking it up into a number of petty improvements to be done by different men at different times. Besides, where the work was of considerable difficulty, as where morasses had to be drained or embankments had to be constructed to shut out the sea, the greater resources of the proprietor enabled him to secure expert advice and assistance and thus to execute it with broader intelligence and greater foresight than could have been expected from farmers. Lastly the co-operation of the proprietor and the lessee was necessary for the success of scientific farming. For the lessees had not an indefinite supply of capital, and what they had was probably just sufficient for properly stocking their farms in the new style and meeting current expenditure.

There are, indeed, minor improvements which have to be undertaken from time to time and which are best done by the man who works the farm. But tenants-at-will could not long undertake them in England, because capital sunk in land can not be easily recovered and there was no certainty that they would be indemnified if their lease was terminated before they had got the full value of their improvements. Legislation, however, has at last interfered

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he would be a bankrupt before he had finished the tenth part of it."

in their favour and established the principle that an outgoing lessee might claim as compensation a sum that would fairly represent the value of his improvements to the incoming tenant. The principle was first definitely enunciated in the Agricultural Holdings Act of 1883, and it was confirmed and extended by a similar enactment in 1901, while an Act of 1906 gave the tenant full liberty to determine what crops he would grow without consulting the landlord. With his rights thus defined by the legislature, the yearly tenant now finds his position to be quite satisfactory. He is protected against appropriation of unexhausted improvements by the landlord. And so there is nothing to deter him from making the best possible use of his farm. At the same time, he can throw it up after due notice if the times are bad, while if he were the owner of the property, it would be a mill-stone round his neck so long as the depression lasted.

After what has been said about the enlightened self-interest of the landlords, it is hardly necessary to dwell at length on the observation that family settlements have prevented them from improving their estates. Still it remains true that the tendency of these settlements is to obstruct the flow of capital to the land. For the tenant for life has rarely capital enough for taking in hand costly schemes of improvement. And even where he has the necessary funds, he lacks the inducement for applying them in the way, as such an application will only

enrich the eldest son who has been already provided for by the settlement. But this defect of family settlements has been corrected to a certain extent by the Settled Land Act of 1882, which permits the life-tenant to determine in what form the property shall descend to those who come after him and so makes it possible for him to improve a portion of the estate by sacrificing the rest. He is at liberty now to leave them fewer acres than he inherited, provided that they are of equal or greater value.

Attempts have been made from time to time to assimilate the law of succession to estates in land to that which governs succession to personal property. They have been prompted, of course, by the desire to see a wider diffusion of property in land. Those, who advocate such a diffusion, are of opinion that though primogeniture and family settlements have succeeded in creating a leisured class, yet the benefit to society from its existence has not been commensurate with the sacrifice involved in such an artificial concentration of property. Its members start with a standard of unproductive expenditure that leaves little room sometimes for investment of any part of their income in permanent improvement of their estates or in works of public utility. They are generally absentees, it is said, with no real interest in the well-being of those who hold under them. They have taken their share, it is true, of public duties ; but the public virtues,

which they have so far exhibited, are not of that exalted order which would justify the allotment of a progressively increasing share of the national dividend to them. Rents have increased more than a hundred per cent. since 1790. Much of this increase is due to the growth of population and of prosperity, and there is no reason why a very limited section of the society should be permitted to appropriate it without any corresponding return. The strength of this class has been variously estimated; but whether we put it down at more than ninety thousand or less than fifty thousand, the fact is that a few hundred proprietors own more land than all the rest together. A monopoly like this, enjoyed by a number of idlers, is fraught with serious political danger and involves besides a wanton waste of no small portion of the resources of the nation.

Such are the views of those who are opposed to the present order. But it has its apologists, who think that rural England will be materially injured if estates are partitioned once in each generation and if as a consequence of such division they pass every now and then into the hands of men who have no ancestral connection with the land. The scion of an old house enters on the management of his property in a spirit very different from the calculating temper of the merchant. "He is, therefore, prepared to do for it what no mere land-speculator would think of doing and no small proprietor could afford to do. If he is a religious man, he builds

churches ; if he is an agriculturist, he sinks more in drainage and farm buildings than he will ever live to recover in rent ; if he is a social reformer, he erects model cottages, carries out sanitary improvements, patronises schools. In all these enterprises as well as in the unpaid services which he renders on the magisterial bench, on local boards and in the varied spheres of influence open to him, he is actuated by no hope of pecuniary reward or even of personal gratification, but rather by that peculiar sense of honour, compounded of public spirit and family pride, which has played so large a part in the history of England."

There are not many families in England to-day which can boast of 'long-descended coat-armour' Large numbers of estates have changed hands since the accession of the House of Brunswick, and they have been generally acquired by retired tradesmen who have made princely fortunes in business. Still the picture that has been just given of the landlord as an eager reformer and patron of a dozen charities is not altogether fanciful. But when the question is asked whether even such a landlord does more good to society than all the yeomen whom he has displaced, and if he does not, whether it will not be better for the common weal to bring them back at his expense, the answer must be based on other grounds. If by yeomen are meant owners of very small properties that can not be worked at a profit at present, the answer must be that such a restora-

tion is neither desirable nor possible except in certain localities. But probably what is implied is that the abolition of primogeniture and family settlements will enable the present tenant farmers to acquire proprietary rights. There is little, however, in the past history of England which would warrant such an assumption. A notable attempt was made by them in the golden days of the Napoleonic war to free themselves from economic dependence on the landlords. Farmers bought land eagerly and paid for it out of the profits of farming and where these were insufficient, by mortgage as well on the acquired property. But this land-hunger disappeared when prices fell ; and they seldom invested in land after 1820, while they sold what they had bought to persons who wanted to build up family estates. The truth is that they are better off as tenants than they could be as owners, because the whole of their capital is available for the purpose of stocking their farms.

But even assuming that the more prosperous among them would like to be owners, there is no guarantee that property in its descent to lower grades of society will reach them. It may be intercepted after subdivision by men who have made some money by business or service or by following one or other of the professions and would, if possible, retire on an assured income, however modest, from rents. But the experience of other countries has demonstrated that the worst effects of landlordism are felt where the estates are small or intermediate tenures

are in existence. The owners of these can not improve their property or undertake works of public utility, because they are seldom flush of funds. But their necessities teach them to be alert in seizing every opportunity of improving their income by enhancement of rents or by petty exactions. Hence the tenants are rack-rented and the land is starved wherever they are in evidence. Landlordism has been found tolerable in England, because the landlords have been generally big men.

Cliff Leslie and Hoskyns have dwelt with considerable bitterness of feeling on what they consider to be the mischievous consequences of the monopoly in land. "It is beyond the power of calculation," says Hoskyns, "to estimate the effect upon a saving and industrious community of the denial of the most natural and preferred of all sorts of investment. We see the alternative in speculations of the wildest and most wasteful character in distant lands entered upon by the public. The thousands of small capitals thus driven from the country might have at the worst engaged tens of thousands of labourers at home." But the law of diminishing returns prescribes a limit to the profitable employment of capital and labour on land, and the statistics of the latter half of the nineteenth century indicate a surfeit and not inanition in this respect. Besides, farming is no longer the safe business that it once used to be. It partakes now of the character of speculation, because the prices of the chief agricultural products are deter-

mined not by the equation of the home demand to the home supply but by the equation of the world's demand to the world's supply. There commenced about the year 1873 a period of extreme agricultural depression, which outlived the century and during which the value of all sorts of agricultural produce and stock and even of agricultural land steadily deteriorated. A considerable portion of the clay lands was thrown out of cultivation, and thousands of farmers were ruined. According to Mulhall, landlords and farmers lost between 1880 and 1895, four hundred and fifty millions of pounds, i.e., on an average, thirty millions per annum. But in 1886, Sir James Caird had put the figure higher and estimated the yearly loss of the agricultural classes at about forty three million pounds. And in 1905, Palgrave came to the conclusion that within the thirty years immediately preceding, the total loss of capital had amounted to one thousand and seven hundred million pounds. But whichever estimate is taken, the loss appears to have been enormous ; and the small capitals of which Hoskyns speaks would have been irrecoverably lost if his heart's desire had been fulfilled.

Gibbins accounts for this decline of British agriculture by saying that it has been brought about by lack of agricultural capital. And he gives us data which seem to point to one conclusion, viz, that the farmer's wealth has been wrested from him surely though not slowly by a tremendous increase

in rent. "At the beginning," says he, "of the eighteenth century, the average rent of agricultural land was seven shillings per acre......In 1797, we find land paying nearly twenty shillings an acre ; in 1812 the same land pays over twenty five shillings ; in 1830 again, it was still at about twenty five shillings; but by 1850 it had risen to thirty eight shillings and eight pence. Such rent as this was enormous and could only be paid in very good years. In ordinary years and still more in bad years, it was paid out of the farmer's capital."

But the decline of agriculture was really due to foreign competition. The facilities for exportation which came to the American farmer with the expansion of the railway system in the States induced him to add to his output ; and the wheat crop there increased two hundred per cent between 1860 and 1880. There was also the competition of countries like Russia and India, where both labour and land were cheap. And the English farmer's difficulties were increased by a succession of bad seasons. It is not strange that he steadily lost ground in these circumstances. The price of wheat fell from 56s. 9d. in 1877 to 22s. 10d. in 1894. Such a fall was unprecedented in modern times, and it was sufficient to account for a rapid decline of agriculture except in the most favoured districts. The shrinkage of the farmer's profits was not, it is true, accompanied by an immediate and proportionate reduction of rents. But agricultural profits are always more

sensitive to changes in prices than either rent or wages. And this is not altogether a disadvantage, for it the farmer is the first to lose in times of depression, he is also the first to gain when prosperity returns. Besides, it is one of the merits of the English system with its yearly tenancies that the adjustment to altered circumstances takes place within a short time, so that the farmer is able to throw on the landlord his share of the losses. That he was able to do it in the last crisis is proved by the fact that rents were much reduced by 1884. Sir James Caird calculated that the annual income of the landed interest in 1886 was less by forty two million and eight hundred thousand pounds than what it had been in 1876, and that of this loss, the landlords' share was twenty million pounds and the tenants' share as much. So it is incorrect to say that enormous sums in the shape of exorbitant rent continued to fill the overgrown coffers of the landlords, while the farmers and farm-hands were in the grip of extreme poverty.

It is desirable to give in this connection a few details regarding the vicissitudes of capitalist farming in the years that were marked by an unprecedented rise in rent. The first great increase took place in the third quarter of the eighteenth century ; and it was coincident with a remarkable improvement in the income of the farmers caused on the one hand by the adoption of scientific methods of culture and on the other by the growing demand for agricultural

produce in the new industrial centres. Between 1769 and 1790, there was a rapid development of the textile factories as the result of a large number of labour-saving inventions. And so the towns grew at the expense of the country and threw on it a progressively increasing burden of supplying them with food. This burden was cheerfully borne by the farmers, because it added to their income. The landlords, however, were soon able to cut it down owing to the brisk competition that there was for both arable and pasture land. But the competition itself was evidence of the fact that the profits of farming were comparatively large. English tenants were not Irish cottiers, and they paid high rents, because it was worth their while to pay them. In fact, agriculture along new lines continued to be the most profitable business in this period in spite of the enhancement of rent and the growth of a number of industries in the land.

Next came the war with revolutionary France and with Napoleon, during which supplies from foreign parts were irregular and inadequate. It was a golden time for the farmers, for prices soared high in consequence of the obstruction of traffic. But the boom was not an unmixed good to them, as it led them to be careless in their farming and to acquire luxurious habits, which proved a source of annoyance and suffering when there was a set-back. Besides, many of them were encouraged by large profits to buy freeholds or to extend their holdings ; and they

had to give up their acquisitions when prices fell. The landlords gained, again, in the long run; but neither their gains nor their losses were equal to those of the farmers in this period of extreme fluctuation in prices. For rents could not be easily adjusted to profits when even a partial failure of the harvest in one year caused a startling rise in prices, while they sometimes fell in the next to a low level owing to a good crop or to unexpected shipments from abroad. Wheat was selling in January 1816 at fifty two shillings sixpence; but owing to a poor crop in the next season, it stood at one hundred and seventeen shillings. A rise like this must have left the landlords far behind in the race.

Agriculture was not in a flourishing condition from 1820 to the accession of Queen Victoria. A succession of wet seasons injured the harvest, and foreign competition beat down prices, while rates and taxes ranged high in consequence of the heavy burden of debt that the war had left behind. But if the profits of the farmers were low, rents also were difficult to collect in this period, so that the troubles of the time were shared by the landlords and the tenants. And it appears from Gibbins's figures that the agricultural depression was reflected in the stationariness of rents.

There was a recovery after 1836, which was not affected even by the repeal of the Corn Laws ten years after. There were various reasons for the continuance of this prosperity in the midst of adverse

circumstances. Good seasons, effective drainage and the use of fertilizers enabled the farmers to get as much out of the land as was required for leaving a fair margin of profit. The discoveries of gold in California and Australia gave a fillip to trade, and so, as Farrer observes, foreign competition in supplying food was accompanied by such a rise in demand as to absorb all that could be produced at home. Moreover, this competition was not very formidable at first. The Crimæan War and the closing of the Baltic ports prevented importation from Russia for a time. And then came the American Civil War, which stopped supplies from the New World. But after 1875, English agriculture was seriously attacked. Rents had been put up in the meanwhile and were not immediately lowered. Agricultural wages had also risen, and the growing demand for labour in the centres of manufacture rendered a reduction out of the question. The English farmer was, therefore, sorely handicapped in his contest with the cultivators of virgin soil in other parts of the world. He lost heavily in consequence, but he was able at last to throw a considerable share of the loss on the landlord. Rents were lowered and even remitted in some cases after 1877, and considerable tracts were thrown out of cultivation. The comparative incidence of the loss on the different sections of the landed interest has been differently estimated. Cliff Leslie and Gibbins seem to think that the concentration of property in the hands of a few injured the farmers

and the best interests of agriculture in this period. Sir Rider Haggard, however, is of opinion that the landlords were the worst sufferers. And he points out in support of his view that in counties like Essex, Norfolk and Suffolk, which were once famous for their superior agriculture, they have now hardly anything left to them after legitimate expenses have been deducted from receipts, and that though in other parts, "they continue to live on their rents, yet where they have no other resources, they are much crippled."

If appears, therefore, that the varying fortunes of agriculture have affected both the landlords and the tenants. But if a period long enough to allow for temporary fluctuations is taken into account, it must be admitted that rent and the value of land have considerably increased. So the question of an equitable appropriation of the unearned increment still remains. It is sometimes mixed up, if not in so many words, at any rate in the drift of the arguments used with the other question of determining the relative claims of landlords and tenants to the profits of cultivation. But the two are radically different. For, as Sidgwick observes, if the landlord has no claim to the increase, much less has the person who happens to hold land on lease ; and so an attempt to secure any portion of it for him by prescribing 'fair rents' below the market rate can not be justified. In England much of it has been due to the growth of industry and commerce ; and so the

dwellers in towns have as good a right to it as the landed interest. The truth is that it belongs to the community and should be appropriated by the state, if it can be definitely foreseen and measured. Wallace says that the value of arable land increased a hundred per cent between 1830 and 1850, while that of land in the great centres of industry increased a hundred and even a thousand fold. We have a more definite estimate by Sir Robert Giffen, who says that the annual value of real property was fifty three millions in 1815, eighty five millions in 1853, one hundred and forty three millions in 1868, one hundred and ninety three millions in 1884, and two hundred and thirty millions in 1901-2. *This remarkable increase was due in no small measure to the growth of population and the development of industries ; but the whole of it has so far been appropriated by the landlords. And the appropriation seems all the more unjust, because a small group of men own about two-thirds

* The following figures quoted by Prof. Marshall may be of some interest in this connection. But in drawing inferences from them, it should be borne in mind that the figures given of farm capital can not include all that has been spent in the improvement of the land.

		Value of Land in millions of pounds.	Value of Farm Capital in millions of pounds.
1679 (Petty)	...	144	36
1690 (Gregory King)	...	180	25
1812 (Colquhoun)	...	750	143
1885 (Giffen)	...	1333	382

of the soil of England. The problem of determining how they should be prevented from laying their hands on such an increase is the problem relating to the unearned increase. England will solve it in her own way either by readjusting the burden of taxation or by affixing important and onerous duties to landlordship. A beginning seems to have been already made by increasing the rates from twenty millions sterling at which they stood in 1868 to thirty one millions in 1883 and to forty three millions in 1900, and by relieving the occupier of half the burden imposed by them on the land.

The question of unearned increase acquires special importance only in those countries in which the proprietors are merely appropriators of rent and so can not lay claim to any part of the increase in the value of land as earned by themselves. In England, this increase is to a certain extent due to the liberal employment of capital by the landlords in the improvement of their estates. Where this is the case, the line must be hard to draw between the income that is earned and the income that implies no previous sacrifice on the part of its recipient. And even where it can be drawn, the appropriation of the whole of it by the landlord has its parallel in the appropriation by the entrepreneur of the entire profit of trade in a time of extraordinary profits. Much of it he did not foresee and could not justly lay his hands on. It belongs properly to the community. But he is allowed to pocket it, because he

takes risks and suffers in a time of slack trade. A similar plea can be put forward in favour of the landlord, who sinks his capital in land, for it may or may not return to him with interest.* But a community suffers without compensation, when the landlord is a mere rent-receiver and yet takes to himself all or any part of the advantage that arises from a rise in the value of land.

Landlordism in its present absolute form is not an old institution in England ; and yet it has justified itself on the whole, which is more than can be said of landlordism in other countries. But it should be noted that it has developed side by side with capitalist farming on a large scale, I have already given some details of the progress of the *grande culture* and the decline of the yeomanry. I shall now complete the account by referring to the causes which led to the extinction of this class of cultivators. It was not in the nature of a sudden catastrophe, but was brought about in the course of long years by the play of economic and political forces. At the time of the Revolution of 1688, there were, according to Gregory King,

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* Hadley very pertinently remarks in this connection that though "successful investment of capital in the improvement of real estate has been the means of making large fortunes, yet these fortunes were not certainties from the outset," and that the profits of those who have been successful have been probably counterbalanced by the losses of those who have failed.

one hundred and sixty thousand small freeholders in England* ; and their total income from real property was about five times as large as that of the esquires and other big landowners. But they lost ground from the beginning of the eighteenth century, and their failure in the struggle was due to conservatism, ignorance and want of capital. New methods of culture were found to be remunerative ; but these could not be carried on in the open fields where their holdings lay, and they had not the money to pay for their consolidation and enclosure. The Norfolk rotation of crops and the cultivation of certain foreign roots and grasses were tried in the second quarter of the eighteenth century. Rich and enterprising farmers adopted them with advantage on their farms ; but the yeomen were compelled by their circumstances to adhere to their primitive husbandry. Again, while the former improved their lands by deep drainage, the fields of the latter were as a rule covered with sticky clay, pressed here and there into puddles by horses, ploughs and

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* The following table gives the strength of the different classes of land-owners as determined by Gregory King.

160	Barons with an average income of	...	£3,200
800	Baronets ,, ,,	...	£880
600	Knights ,, ,,	...	£650
3,000	Esquires ,, ,,	...	£450
12,000	Gentlemen ,, ,,	...	£280
40,000	Well-to-do Freeholders ,,	...	£91
120,000	Small Free-holders ,,	...	£55

ploughmen. They often put by inferior wheat and very inferior potatoes for seed ; and it was almost an article of faith with them, as it is with agriculturists in backward countries to-day, that the harvest depended on the quantity and not on the quality of what was sown. And lastly they could not avail themselves of the latest appliances for economising labour partly owing to their ignorance and partly because the price was beyond their means. It was clearly impossible for them to work their farms at a profit with disadvantages like these. So many of them eagerly seized the opportunity which the new craze for landed property offered them. They sold their holdings at very high prices to gentlemen farmers or to owners of large estates and left the country for the towns.

In the latter part of the eighteenth century and especially during the Napoleonic war, violent fluctuations in prices rendered farming a highly speculative business. It was an advantage on the whole for capitalist farmers, who were not under the necessity of realizing as soon as the harvest was gathered. But the small freeholders could not owing to their poverty hold over and sell their produce at high prices in spring or summer, as was done by their rivals. And the same poverty made them succumb in years of exceptionally bad harvest, which could not, however, absolutely ruin the capitalists. Even in the rearing of cattle, they were at a disadvantage, because they had not enough

pasture-land and could not grow turnips. Besides, there was a relative fall in the prices of meat and dairy produce in these years, because the high price of corn prevented the bulk of the people from spending much on other articles of diet. And their difficulties were further aggravated by the withdrawal of manufacture from rural districts. "There was less employment for their households and perhaps for themselves, when spinning and weaving were concentrated in factories." It is not strange, therefore, that they took advantage once more of the high price of land during the Napoleonic war, sold their possessions and sought a living in other ways.

The contest was unequal from the outset. But the triumph of the rival system of farming was, even before it was complete, signalized by an act of flagrant injustice. The holdings of the capitalists, at first very moderate in their dimensions, soon exhibited a tendency to expand into large farms, for capitalist enterprise required a comparatively extensive area to work on, as a necessary condition of success. The landlords met the increased demand for land by enclosing the commons with the sanction of the legislature. Though the yeomen had from time immemorial grazed their cattle on these, their right to do so was in many cases disallowed ; and where any land was reserved for them, it proved a sad mockery, because the allotment was as a rule too small to be profitably utilised. But they were not

the only sufferers, for the agricultural labourers also had a right to feed their cows and pigs on the waste. These men, who were injured alike by the enclosure of the commons and the general rise in prices, demanded higher wages. And their employers who were entrusted with the administration of the parochial funds pacified them for a time by allowances of food to supplement the meagre earnings of their labour. These allowances came partly from the income of the yeomen, who seldom employed hired labour. Thus they were taxed for the benefit of their rivals.

There was still a small number of yeomen in the early years of the nineteenth century ; and they seem to have realized at last that their only chance of paying their way lay in the consolidation and enclosure of their holdings. But enclosure was expensive, and those who put themselves to the expense found at last that they had not capital enough for properly stocking their farms. It was the old story over again. They sold their lands to rich men who wanted to build family estates and migrated to the towns. And their example was followed not long after by the tenant-farmers, who had, in the golden days of the war with France, committed the imprudence of buying the fee simple of their holdings.

Under the present system, three classes of men differing widely in status and economic condition derive an income from agriculture in return for the

services which they render to it. The first class consists of owners of large properties, who as such occupy an honoured place in society. Their estates are divided into a number of holdings, which are leased out to farmers capable of working them with the aid of hired labour. Each holding consists of land fit for immediate cultivation and protected by means of a fence. It contains also a cottage for the tenant, besides stables, barns and cattle sheds. All these are provided by the landlord, and he bears also the expense of maintaining them in proper repair from year to year and often of draining the soil and providing a suitable approach to the farm. The outlay for these purposes is said to amount on the average to more than a fourth of the gross receipts of the landlord, so that they include in addition to economic rent, interest on capital expended in making the land fit according to modern standards for the work of production and a sum sufficient to cover the recurring expenditure for keeping it in that condition.

The landlord's income from the land is determined only to a limited extent by competition, for the value of the holdings and the appurtenances prevents him from accepting offers except from men who by their character and resources appear to be qualified for turning them to acocunt. Such men often hold on yearly lease, which means according to established usage a tenure that is renewed from year to year and is terminable only by a year's

notice from either side. These leases have answered fairly well, and in estates belonging to old families, they have fostered friendly relations between the landlord and the tenant and prevented an undue enhancement of rent, though it may be presumed that they have not encouraged any considerable outlay for the improvement of the farm by the latter. But the growth of a commercial spirit and the agricultural depression in the latter part of the nineteenth century have brought the twenty-one years' lease into vogue. It has its advantage, because it enables the tenant to judge beforehand how much he may safely put into the soil. But this advantage is accompanied by a serious drawback, which is that the tenant is tempted towards the close of his lease to take as much out of the land as possible and thus to leave it in an impoverished state.

The holdings are often large as compared with those in other countries of Europe, though they are much smaller than holdings in certain parts of Australia and America. The usual size in the central districts is 150 to 200 acres, though the number of smaller farms even in them is not negligible. However, unless they are very small, they are worked with hired labour assisted by machinery. The capital employed for the purpose varies from £5 to £15 per acre and averages now between £7 and £8, though according to competent observers, it ought never to be less than £10. Such as it is,

it is provided by the tenant farmer, who spends it in purchasing seed, manure, live stock and implements and in paying the labourers. These men receive weekly wages and extra payments at harvest as well as certain allowances in kind determined by local custom. They are also helped in certain parts to rent cottages on easy terms and to take up small allotments for cultivation in leisure hours. But their income from this source is still almost negligible, and they have to depend mainly on wages for subsistence and shelter.

The income of the tenant farmer is, of course, determined by the difference between what he realizes by the sale of his crops and what he pays as rent and working expenses. Ten per cent. on his outlay is regarded as fair profit ; and half of this amount is taken to be interest proper, while the other half is looked upon as the wage of superintendence. As, however, in making his calculations, the farmer omits to take account of the rent of the house which he occupies and the farm products which he consumes, about twelve per cent. on his outlay is what he really expects to make out of his farm. But his income has generally fallen short of his expectations since the commencement of the agricultural depression in 1875 ; though the recent purchases of holdings by members of his class would seem to indicate that his business has become once more remunerative.

I have given in the foregoing paragraphs some

account of the dominant type of rural economy in England. It never had exclusive possession of the field, as in the raising of certain kinds of crops, there was always an advantage in farming on a small scale without the assistance of hired labour. And foreign competition has in recent years favoured the growth of holdings of very moderate size. The capitalist farmers were, as we have seen, hit hard during the last agricultural depression, and rent had to be reduced or remitted in many cases to prevent them from sinking. But it was more or less regularly collected from possessors of small holdings, whose capital was in their own sinews and muscles. Still the fate of English agriculture seems for the present at least bound up with that of farming on a large scale by tenants who are rich enough to employ wage-earners. And though the course of events may lead in the future to the general adoption of a different type of rural economy, the question of interest for us is,—what are the merits and defects of the system, which has had a better trial in England than in any other part of the world?

Its effects on the different sections of the landed interest, on agriculture itself and lastly on the community at large have to be taken into account in answering this question. The subject merits separate treatment on account of its importance; and a few observations are all that can be attempted within the limits of this enquiry. The landlords,

have gained on the whole by the arrangement, as they could not fail to do in a community which has progressed rapidly in wealth and population. They have been able in the long run to absorb the whole of the unearned increment, which even in rural areas has been large. The average rent per acre was five shillings in 1650, thirteen shillings in 1770 and thirty shillings in 1878. The year 1760 is a landmark in the agrarian history of England, as scientific agriculture was taken up in right earnest immediately after it. From that date there was an upward movement of rent with but slight interruptions up to the middle of the nineteenth century, and the rise amounted to a hundred per cent. Much of it was, no doubt, interest on the landlord's capital; but the fact that capital continued to be invested in land shows that the investment paid. In recent years, there has been a decline in the landlord's income. But there are already signs of improvement; and in estimating the influence of a system, allowance has to be made for transient oscillations.

The capitalist farmers made handsome profits up to the close of the third quarter of the nineteenth century; but since then they have suffered enormous losses. And their prospects do not appear to be very cheering even to the most sanguine observers. Still their lot is not altogether hard. They live not unpleasantly, it is said, in decent houses for which they pay nothing and amid lovely

surroundings which bear flattering testimony to the success of their labours. Their expenses are not heavy, since much of what they consume is produced in their farms. And they rule the countryside where the proprietors are not in evidence.

The lot of the labourers was really hard towards the close of the eighteenth century*, when a vicious system of poor relief sapped their independence and practically converted them into paupers. But their wages rose steadily throughout the nineteenth century, though less rapidly than the wages of artisans. "In 1800 the average income for shepherds and farm labourers, even when three members of the family group were earners, barely exceeded £28 per family (equal in purchasing power to about £30 to-day), which (young children unable to work being included) is equivalent to an income of £6 per head.........An agricultural labourer to-day (1910) earns on an average 15s a week—in Scotland more, in parts of England a little less. With extra payments for harvest, overtime and allowances in kind, his personal earnings will amount in the year to about £46. He has a lad or youth earning 9s or 10s a week, whose yearly earnings amount to some

* It was probably not much better in the early years of the eighteenth century. Ashton says that in the days of Queen Anne, 'their lot was hard work and scant wage, only relieved now and then by a village wake or a country fair.' The present improvement in their condition is due to the competition of the industries with agriculture for their services.

£24. He has also a daughter out in service, whose effective earnings may be anything between £20 and £45. The total income of a family thus composed might be anything from £90 up to £115, though the income of the home-living members would be less than £71." But even if the earnings of the younger people are left out of account, it must be admitted that there has been a notable improvement in his earning power. His weekly wages were 7s 3d in 1770 and 14s in 1878; and now, in spite of the reverses that have come to agriculture, they are seldom less than 15s. Besides, there is no lack of employment in the rural districts, and food and certain other necessaries are comparatively cheap in them.

The influence of the system on agriculture must be measured by taking into consideration how far it has facilitated the extension of the industry and the improvement of its technique. There was, we know, steady, even rapid improvement in the English mode of culture from the middle of the eighteenth century to the middle of the nineteenth; and till lately it was held up by competent foreign observers as a model to be imitated by their countrymen. This superiority was due to the lavish expenditure of capital on the land by the territorial magnates and to the supervision of the industry by men of intelligence and some education. There has been a set-back in recent years, and the soil is said to be deteriorating

owing to lack of capital. But still "there is no country except the Netherlands, which can compare with England in the amount of produce per acre of fertile land, and no country in Europe which obtains nearly such high returns in proportion to the labour expended in getting them......And as for the Netherlands, there is error in the common opinion that they support as dense a population as England does and yet export on the balance a great deal of agricultural produce. For Belgium imports a great part of her food ; and even Holland imports as much food as she exports, though her non-agricultural population is small. In France, farm crops and potatoes are on the average only half as heavy as in England proper." It is only in poultry rearing and the culture of fruits that she excels. But in these industries, her superb climate is said to give her an obvious advantage. The gross produce of cereals per acre is often thrice as great in England as in France. This superiority she owes not to any natural advantages, but to the progressive application of science to agriculture. What it has achieved may be seen by setting off the results that were obtained in a year of extreme agricultural depression with what they were when agriculture was still prosperous. The value of the produce per farm hand was about £65 in 1821, while in 1881, in spite of the great decline in price, each hand produced to the value of £98.

The evidence on the other point is not quite

satisfactory. There has been a remarkable shrinkage in recent years in the area under the plough. Considerable tracts have gone to grass; and it is apprehended that unless prices improve or the present dearth of labour disappears or there is a change in the rural economy, all but the best lands will be laid out for pasture. But the competition of foreign countries will probably prevent prices from rising in the near future, while so long as trade and manufacture furnish a growing field for employment, wages may continue to be higher than ordinary lands can afford to pay. So the last chance of English agriculture lies,* according to some critics, in a recasting of the relations between the different sections of the landed interest or rather in the substitution of small properties owned by cultivators for the present system. It is capitalist farming which is, in their opinion, ultimately responsible for the decline. I shall sum up the arguments on which they rely for making out a case in the following paragraph.

British farmers possess a market for their produce, which is as large as any other in the world. They are near that market, while their competitors are thousands of miles away. And if they cannot grow wheat at a profit, so as to compete with American, Russian or Indian wheat, there are many other crops to which they can profitably turn their attention. Though the net return on the entire arable land falls short of £5 per acre, yet the profit of market gardening in the vicinity of seven large

towns is a hundred pounds and even more for the same area. English dairy and orchard lands and hop gardens are not easily equalled and nowhere surpassed ; yet the products of less favoured lands are crowding out the English. England need not be dependent on France and the Channel Islands for vegetables and dairy produce. Capitalist farming, however, has no special advantages for the production of these articles. Intensive farming on a small scale may supply her with them. But it will never succeed so long as the existing system of tenure endures.

The weakness of the *grande culture* in this respect has been recognized of late by the nation ; and legislation has encouraged a movement in the contrary direction. I am referring to the Small Holdings Act of 1907, which has allowed local authorities to buy land and to let it on the hire purchase system in lots of from five to fifty acres. But the *petite culture* has not yet undertaken all that the rival system has been doing ; and its success in what it has attempted has been demonstrated only in the neighbourhood of great centres of industry. So it is difficult to say how far it will realize expectations outside the lighter branches of husbandry and in places at a distance from important markets for its produce. Probably the traditions of the English race and the example of the great manufacturing industries will lead to the continuance of the present system ; and attempts may be made to tide over

difficulties by improvement in the method of culture and a more extended substitution of machinery for human labour. But these are mere surmises, and all that we are justified in saying in view of the facts mentioned is that landlordism and capitalist farming have so far failed to prevent the decay of agriculture.

Their influence on the community has been pronounced by a certain section of writers to be positively mischievous. They have, it is said, allowed England to become increasingly dependent on foreign countries for the first necessary of life. Secondly, they have endangered the political equilibrium by encouraging the concentration of property in the hands of a small and rapidly dwindling class. And finally they have injured the strength and energy of the sturdy English race by bringing about a state of things in the rural districts, which acts as a powerful incentive to migration to foreign parts or to overcrowded and unhealthy towns in the country.

The growing incapacity of English agriculture to meet the home demand for food products is proved by facts like the following. Down to 1773, England was able to supply her own wants and to send some surplus corn to Sweden and other countries. During the next twenty years, the supply was equal to the demand. From 1793, however, England became dependent on Russian and American wheat lands for the first necessary of life. But even between 1810 and 1830, only four per cent. of the annual consumption was imported, while in the last decade

of the century, America and Russia contributed over sixty per cent. of what she needed in the way of agricultural produce.

The statements are correct so far as they go ; but in drawing inferences from them, due weight should be attached to the remarkable increase of population in this period and to the effect of the abolition of duties on foreign corn, which exposed the home producer to unrestricted competition with the farmers of more favoured lands. The population of England increased fifty per cent. in the latter half of the eighteenth century, and since 1880 it has gone up at a still faster rate. This unprecedented growth of population threw a burden on the agriculture of the country, which it was unable to bear*. But could any system of tenure and husbandry have proved equal to the task, without interfering in any way with the progress of commerce and manufacture? No definite answer to this question has been given by those who have condemned without qualification the existing order of things. Subsistence farming checked the growth of population and threw an almost insuperable obstacle in the way of industrial development in the past ; and it may produce similar results in the future. Intensive culture on a small scale has never compared favourably with capitalist farming in the growth of cereals. At

* The population of England and Wales was 7,400,000 in 1781, 18,600,000 in 1841 and 26,200,000 in 1871.

the close of the nineteenth century when English agriculture was decidedly losing ground, the average yield of wheat per acre was 28 bushels in Great Britain, while it was only 12·7 bushels for the whole wheat producing area of the world. Even France, which is famous for its careful husbandry, is inferior to England in this respect.

But the substitution of peasant properties for large farms cultivated by hired labour will, it is supposed, be followed by a considerable extension of the arable area. Such an extension may, indeed, take place to a certain extent, for peasants whose capital consists in their sinews and muscles sometimes cultivate beyond the remunerative limit. But how far it will go is a question. The return per acre will sensibly diminish when inferior land is taken up, and even peasants will cease to cultivate when they cannot make a living out of it. Speaking of the United Kingdom in 1904, Sir R. Giffen gave his opinion on this subject in the following words:— "Surely no one supposes that a population of forty-two millions could be supported by its own agriculture or derive from that agriculture what it wants for its miscellaneous industries. To do so, there should be twelve million acres under wheat, double the acreage that has ever been so cultivated, with a similar increase as compared with the present, of barley, oats and other crops, along with an enormous increase of cattle, sheep and pigs." But even if all this can be done, it will make no provision for

a further increase of population in future, and the rate of growth in England has not yet shown any signs of slackening.

The repeal of the Corn Laws is characterized by some writers as the national recognition of the impotence of British agriculture. It was, in fact, a recognition of the injustice of taxing for the benefit of a section of the community, the whole of it to the extent of making it pay at the rate of something like 50s. per quarter for what could be had for a little over 20s. The measure was adopted especially because cheap food appeared to be necessary for maintaining the industrial and commercial superiority of England. She has since done much of her farming at second-hand and has been dependent on America for a considerable portion of her food supply. She pays America by transferring to her the debts of China and certain other countries for goods received from English merchants. This circuitous mode of supplying herself with food has been adopted, because it permits her to devote her capital and labour to undertakings that promise the best return. And by abolishing the corn duties, Government has only removed the obstacles to her adapting herself to her economic and political conditions.

There are writers who regard the decline of British agriculture as an alarming symptom of general decadence and of unsoundness in the industrial fabric. But whatever its significance may be, the

policy steadily pursued by the British Government since the middle of the nineteenth century is fully as responsible for it as capitalist farming. I cannot take up the vexed question of protection at this stage, especially as it lies outside the scope of my enquiry. But it is necessary to observe that the attitude of English statesmen towards this question has been determined to a great extent by the conviction that as the centre of a vast and detached empire, England should have a large and growing population, a powerful navy and ample resources for maintaining her hold over the different parts of it. These objects are best attained by giving her the opportunity of obtaining food and raw materials at the lowest price.* Hence impediments have been withdrawn, and trade and industry have been allowed to flourish at the expense of her agriculture. Reformers may think that it would have been better for the English community if it had been smaller but more capable of producing all that it required. And much may be said in support of this view. But there is a confusion of issues, when a state of things, which is the expression of a certain policy, is condemned because it does not realize the objects of another. Protection was withdrawn from agriculture,

* Wheat fell from £3 6s. 4d. per quarter in 1840 to £2 0s. 3d. in 1850, and to £1 12s. 10d. in 1885. At the same time, the index number remained almost unchanged between 1850 and 1885.

not because agriculture under the conditions that obtained in England was found to be hopelessly unsatisfactory, but because it was felt that the greatness of England depended on the continued prosperity of her secondary and tertiary industries, which did not require extensive areas for their success.

I have dwelt at some length on this subject, because the writings of men like Cliffe Leslie and Shaw Sparrow suggest that the worthlessness of capitalist farming has been demonstrated by the experience of England. If the mere fact that it has declined after the withdrawal of protection is regarded as sufficient evidence of its hopeless inferiority, then judged by the same standard, the manufacture and commerce of every other important country have to be condemned, because they flourish in the shade of protection. All that the recent depression has proved is that there is room for improvement and possibly also for the trial of another system of farming which is not handicapped by the antagonism of labour and capital. But if ever notable improvements enable English farmers to dispute the field once more with foreign agriculturists, they will be in evidence on the large farms on which there is scope for the co-operation of capital and science. For after all, the strength of the peasant consists not in his capacity to excel, but in the fact that he does not know when he is beaten.

On the political danger supposed to be involved

in the concentration of landed property, it is hardly necessary to say much. This concentration has, no doubt, proceeded at a very rapid rate, and in consequence of it, the landed gentry have declined in numbers, while the bulk of the rural population has little more than a pauper's claim on the land. But France with its hundreds of thousands of peasant proprietors has not been more immune from political troubles than England with its handful of landlords.

It is true that there will be discontent wherever a number of men, not visibly engaged in creating wealth from the land, derive yet an income from it, because it was appropriated in years long gone by by the payment of a price which is out of all proportion to its present value. It is also true that the discontent will be great, where the number of such men is small and their income proportionately large, while those who are engaged in working the land can barely make a living out of it. But there is no guarantee that the confiscation of the property of the landlords will lead to a decided improvement in the condition of the workers. If it is transferred to the State, the "inertness of public management, its want of flexibility" may injuriously affect production and, therefore, the producers. The weakness of State ownership is best seen by taking into consideration the methods which are likely to be followed in determining rent. If, for instance, "scientific" principles of assessment are adopted, they will be often at variance with the thoroughly practical way in which

people utilise the land. So however faultless the rules may be in theory, their operation will result in considerable inequality in the incidence of the tax. If, on the other hand, an uniform rate of assessment finds favour, there will be every likelihood of its injuring those who are poorest and, therefore, least fitted for the burden of taxation. Besides, where Government owns the land, there is probably a tendency to throw on it more than its proper share of the national charges. This may be due to the difficulty that there is in drawing a line between economic rent, which injures neither the producer nor the consumer, and a general land tax which has a direct effect on the price of agricultural produce and also on the income of those peasants who devote themselves to subsistence farming.

So even if the private appropriation of land is a grievance, there is no guarantee that its nationalization will be less oppressive than the present system. But is it not possible to divide rural society once more into a number of small and homogeneous communities and to invest them with ownership over land, so that each of them may see for itself that every member of the corporation gets his fair share of that instrument of production, which, according to a certain class of reformers, ought to be as free to all as is the light of the sun? Such an ideal appeals with peculiar force to the generous instincts of those philanthropists, who look upon ancient institutions with "a superstitious eye of love." But there has

been so far no clear-cut presentation of its details ; and it is hardly distinguishable from the type of communism which was twice tried in Britain with unsatisfactory results.* It may, indeed, be said that these early experiments subjected the individual to restraint in every relation of life and every department of activity, while modern schemes will be content with prescribing a limit to his independence in the region of industry or in the appropriation of its instruments. But economic relations are so closely connected with social and political arrangements that communism must extend its sphere of influence in order to attain any marked degree of success. So however modest the programme may be at first, it will have to be elaborated till it includes interference with all the varied interests and pursuits that make

* An elaborate account has been already given of the communistic character of rural organization in Saxon England. The little that is known of the Britons points to the conclusion that their village communities also were formed by the cohesion of families which traced their descent through males to a common ancestor, and that the tradition that they were in enjoyment of a common patrimony gave a distinctly communistic stamp to their usages and customs. Where the villagers had not advanced beyond nomadic habits, 'collective interests were safe-guarded by the intercommoning of herds and flocks' belonging to the different households, while in more civilized parts, coaration was resorted to for growing the food crop and the separate holdings were periodically thrown into one and repartitioned to secure an appropriate outfit for every family.

up our complex life. Communism, in fact, if it does not court failure, must be communism in almost everything ; for if the political and social institutions remain what they are to-day, a way will be found by the resourceful and the ambitious to overthrow the tyranny of the majority. Modern communism differs, no doubt, in its origin and character from primitive arrangements. It is the creed of refined souls who are prompted by a sense of justice, while the barbarian was impelled to it by his deplorable weakness for purposes of production and defence and for every other purpose of life. Hence though disruptive forces were always at work, a certain solidarity and community of interests were maintained by the tradition of common descent and by the joint ownership of real property. It was, therefore "the brutal whip of necessity" and not elevated sentiments that made the primitive man cling to socialism. And the good which he expected from it was the good of his kinsmen, real or supposed, and of himself. Modern communism has no such narrow object in view, for it aims at the elevation of all who wear to-day the badge of degradation and poverty. Still so long as restrictive legislation is felt to be necessary, its advocates believe that they will have to reckon with the selfishness of ambitious and clever people and to count on the selfishness of the weak and the unfortunate for overcoming it. So even the educative value of communism cannot be great in the present state of human nature. And its glaring defects as an

industrial organization will prevent it from being widely adopted in a country like England, however intensely the people may dislike the exaction of a tribute by a set of monopolizers.

As communism is out of the question in this age, which is said to be suffering from an excess of individualism, the only other alternative is the creation of a large number of peasant properties, for capitalist farmers prefer leases to ownership. But peasant proprietors have not flourished in every land, for the simple reason that their success depends less on the perfection of external arrangements and more on certain qualities of the head and the heart, which are acquired probably by long years of training under special circumstances. Peasant properties were created in various parts of Europe in the nineteenth century ; but they only enabled the owners to run into debt with a fatal facility, so that to-day they are in the grip of money-lenders, who are more inexorable than their landlords ever were.

The demerits of other systems will not, of course, allay the popular dissatisfaction with the present arrangement. But probably this dissatisfaction is not deep-seated in England. For landlordism is seen at its best in that country. Prof. Marshall tells us that on good estates the amount of the proprietor's outlay on the land is about four times as large as the working capital of the farmer. And for this investment, he seldom receives more than three

per cent. as interest.* Besides, he is much more than a sleeping partner in the business, for his judgment and enterprise have improved agriculture as much as the constant supervision and attention to minute details of the farmer. Still it must be admitted that even in England landlordism has been responsible for serious mistakes and some grave offences. The truth is that it is unwise and unfair to invest men with absolute proprietary rights over that which is the ultimate source of national wealth, and then to expect that they will administer it in the spirit of trustees. Landlordism will, no doubt, continue to figure in the economic programme of England and certain other countries. But if there is anything in the present complaint, it may become so defined and conditioned that the ownership of large estates will be a mark not only of superior wealth, but also of superior ability and public spirit.

The third objection is much more serious. It is

* There is another test of the influence of the system on the well-being of the people to which attention was drawn by Richard Jones. He wrote in 1844 and, therefore, before evil days had come to the landlords; and he pointed out that if the sole cause of a rise of rents were "the employment of an additional quantity of labour with a proportionally less return and a consequent transfer to the landlords of a part of the produce before obtained on the better soils, then the average proportion of the gross produce taken by the landlords as rent would have increased." But the statistical history of England shows that there was a progressive decrease on the whole in their share of the produce.

said with perfect truth that as capitalist farming leant more and more on machinery, it involved a constantly decreasing demand for labour. The extended use of mechanical contrivances was, of course, not an evil. But in the peculiar circumstances of England, the labourers that were displaced were lost to the country. They crossed the sea in thousands to Australia, to New Zealand and to Canada, where owing to the abundance of virgin soil and the dearth of labour, the outlook was not so gloomy. It has been computed that in the last quarter of the nineteenth century, one out of five in England and Wales, one out of four in Scotland and one out of two in Ireland, of the agricultural labourers deserted the mother country. And the pity of it was that it was not 'the idlers and wastrels' who sailed, but the strongest and most industrious men, men in the prime of life and in the full vigour of their strength. This exodus of the flower of the peasantry has left behind, it is said, a *vis inertia* of ignorance and stupidity, which is being further impoverished by the migration of large numbers to the towns, so that urban overcrowding now proceeds hand in hand with rural depopulation.*

This rural depopulation is a menace even to industry, for in the tilling of the soil men find the most healthful of all employments and thus form a

* In 1760, farmers and agricultural labourers formed 33 per cent. of the total population, while in 1881, they were only 13 per cent. of it.

ready reserve of vigorous labour for the manufacturers to draw upon. The contrast between Germany and England in this respect is significant. While in the former country, the numerical strength of the rural population is very nearly equal to that of the dwellers in towns, only about twenty per cent. of the inhabitants of the latter dwell in country districts. The evil has another aspect which should not be overlooked. Although there has been of late a decided decrease in the total amount of pauperism, the number of aged, indoor paupers has equally decidedly increased in certain localities. Booth estimates that not less than two-thirds of the unskilled labourers are paupers in and mainly because of old age ; and he points out that this is too large a proportion of any class to make a sweeping condemnation of. The fact is that old men are eminently unfit for the rush and scramble of town life and town work, and that in manufacturing industries and in trade, young men are chiefly wanted. Consequently when the infirmities of age are upon these, they are thrown out of employment and easily become paupers. If English agriculture had been prosperous, the nation might have usefully employed many thousands of these prematurely invalided inmates of the workhouse in the fields and dairy farms, and thus large sums of money which are now yearly spent in poor relief might have been saved.

The situation has, no doubt, slightly changed

now, and in certain parts of the country there is a real dearth of labour. It is being most keenly felt in the south of England and in places near the seaports and manufacturing towns. But the exodus from rural areas continues in spite of the high price that is being offered for labour of indifferent quality. There are several reasons for it ; but it is chiefly, as Sir Rider Haggard observes, a matter of wages. "Yonder it is thirty shillings ; here it is only eighteen. And even if the extra cash is more than absorbed in the extra expenses, the average man likes to have the handling of money.........Again, he and his wife seek the excitement of the streets......... Lastly in towns there is a chance of rising ; but in the country, for nineteen out of twenty, there is no hope that they will become farmers on their own accounts."

It matters little what moralists think of some of these motives. They will be at work so long as there is not a radical change in human nature or a decided improvement in the prospects of agricultural labourers. A writer who has dwelt with special emphasis on this subject says that England has no longer a true rural population capable of realising the ends, social, political and economic, which such a population ought to attain, and that country districts are now mere "nurseries of overpopulation and misery in cities."* This is certainly an undesir-

* In 1760, only twelve provincial towns in England and Wales could boast of more than 10,000 inhabitants; in 1901,

able state of things, for town work in these days is exhausting athleticism and the conditions of existence in the country are healthful both morally and physically.

But is it a preventible evil? Agricultural operations do not admit of such a gradation of employments as would offer sufficient scope for the ambition of an energetic and intelligent young man. To put it plainly, it is unskilled labour that is as a rule wanted in the country, so that a wage-earner, who decides to remain there, ends generally where he begins. In towns, on the other hand, he has a chance of rising from the lowest rung of the ladder to competence and a position of responsibility and, therefore, of some importance. But if small farms are in evidence once more, it will be possible for the skilful and industrious labourer to rise in the world without changing his domicile. He may purchase one of them with his savings and work it on his own account and thus acquire independence and a social status. So here at last we see the real weakness of capitalist farming. It may tide over bad times, if by bad times are meant years in which money is lost by landlords and farmers. But it can

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the same number counted over 200,000 souls in each of them. Besides, there were about thirty, each with a population of over 100,000, and sixty, each with a population of over 50,000. The total population, however, had grown only four-fold within the period.

not ensure the existence of a contented and intelligent peasantry. "There is," as Prof. Marshall observes, "a public need in every district for small holdings as well as large."

CHAPTER V

WAR AND ENGLISH AGRICULTURE

THE decline of English agriculture in the last quarter of the nineteenth century was not viewed with equanimity in certain quarters. But the glamour of commercial development and the conviction that cheap bread was required above everything else for the maintenance of England's proud position in the industrial world led people to ascribe gloomy forebodings to the discontent of those who had profited by dearth and high prices. And there was much, indeed, in the economic situation that lent the colour of reason to the general feeling that so long as the country's ascendancy in manufacture and the carrying trade was not seriously challenged, she might with advantage and perfect safety draw her food supply from the American prairies and the wheat lands of Russia and Australia. The volume of her trade when measured in goods and not by the misleading standard of gold values showed an increase of nearly a hundred per cent within the period, with the result, as Dr. Bowley observes, that the average income of an Englishman could procure in 1901 almost twice as much of many of the commodities ordinarily consumed as could be obtained with it in 1873.*

* According to Dr. Bowley, the total exports and imports when estimated with reference to the gold values of 1871 were worth £613,000,000 in 1873 and £11,30,000,000 in 1895, or £19 and £29 per head of population respectively. That this growth of commerce led to an increase of prosperity is testified to by the index

And much of this genuine improvement was due, no doubt, to the circumstance that, while there was a steady increase in the amount of imports for each person, it entailed owing to the decline in their value, no commensurate increase in his expenditure.

This decline was checked, indeed, in the last quinquennium of the century, when prices showed once more an upward trend. But the appreciation caused no misgivings as trade was prosperous and there was a more than compensating rise in incomes.* Agricultural prices shared in the general improvement in the first decade of the present century because the development of new settlements created a new demand for the yield of the land of America and Australia. Here therefore, was a chance for the English farmer, and it was not altogether neglected. He reduced his expenditure, improved his technique and showed a commendable foresight and enterprise in the development of the milk trade and of stock-breeding. Mr. Lennard, however, is inclined to think that the opportunity was not turned to the best possible account either by the farmer himself or by the proprietor. And he offers statistical evidence in support of his opinion. "In 1900," says he, "there were 12,217,208 acres of arable land in England and Wales, in 1905 figures had sunk to 11,656,079, in 1910 to 11,320,444, and in 1914 to 10,998,254." The number of barkruptcies

number of average income which, when calculated as percentage of the height in 1901 was 55 only in 1873.

* According to Dr. Bowley incomes rose 15 per cent. between 1895 and 1901, while prices rose only 12 per cent.

among farmers declined, it is true, in this period; but they were by no means infrequent. And the lot of the farm-hands continued to be hard in spite of some imrpovement in their wages as prices had moved up faster than their earnings. There was, moreover, a shortage of cottages, and of those that existed, many were insanitary and too small. Thus proverty and squalor were the portion of the tillers of the soil in a period of remarkable prosperity and progress; and deliverance from their troubles seemed to be out of the question unless they decided to change their occupation or to migrate to distant lands.

The recovery of English agriculture was, therefore, slow and partial especially in comparison with its past achievements. Mr. Lennard mentions among the circumstances which stood in the way of a more satisfactory progress, the indebtedness of the farmers and their defective education on the one hand, and on the other the anxiety of the landlords to preserve the integrity of their estates, even though saddled with heavy charges which deprived them of the funds required for improvement, and a sort of paternalism bred of feudal traditions which made them indulgent towards inefficient tenants. Some of these, however, had been present when the high-water mark of British agriculture had been reached. The proprietors, for instance, had always tried to maintain their estates intact inspite of the liability imposed on them by family settlements to pay out a considerable portion of their income to collateral relations. Their weakness, again, towards sitting tenants was not a new thing, and it did not matter much after all, as in the years that had preceded economic conditions had furnished a

searching test of efficiency. If it is reasonable to assume that only the more resourceful and industrious farmers could hold their own against foreign competition during the period of depression, then a process of natural selection had anticipated and rendered supererogatory all selective action on the part of the landlords.

The causes, therefore, which told must be sought in the circumstances that were peculiar to the period. I shall dwell at some length on them before I conclude, and so all that need be stated here is that the lesson which had been taught by the abrupt and ruinous break in prices could not be easily forgotten. Wheat had sunk from an average of about 54s. per quarter in the third quarter of the nineteenth century to a little over 22s. at its close, and the rise since the commencement of the twentieth century had not been considerable enough to make tenants and landlords unmindful of the past. They hesitated, therefore, to increase their investments in a business in which prices, they saw, would be controlled by competitors who owing to the liberality of nature had a decided advantage over them.* If capital was shy, it seemed to be naturally so. At the same time its timidity did not prevent the expansion of undertakings like stock-breeding and the milk trade, in which English farmers could hold their own against foreign competition or the conversion of arable into pasture 'on which the labour bill was small.' The shrinkage, however, of the arable was not arrested,

* Dr. Bowley says that the average price per quarter of wheat was 51s. 1d. in 1871—80 and 28s. 3d. in 1890—1900, while average imports of it in these decades amounted to 56 millions and 97 millions of hundred-weights respectively.

as it ought to have been after prices had looked up, and in the quinquennium that just preceded the war, 1912 was the only year which witnessed a movement in a contrary direction. The land, moreover, which went out of cultivation was not always carefully sown with grass seed, but simply tumbled into grass land or into mere waste which provided no real food for cattle. It has been estimated that the extent of these unprofitable tracts was about twelve million acres, and there can be no doubt that had they been properly laid down, they would have permitted a considerable increase of stock and sheep. In allowing them, therefore, to be covered with thorn and thistle, the farmers failed to do all that they might have done for the improvement of industries like dairy farming and the rearing of animals in which alone there was some measure of progress.

The progress, however, such as it was, was enough to satisfy the heart of every true Cobdenite. The cry for protection was not heeded, because it was feared that dear food and raw materials might imperil the prosperity which England owed to her commercial and manufacturing enterprise. It was probably felt also that the increase of population in imperfectly developed tracts and the consequent levelling up of prices all over the world would enable English agriculture in course of time to come to its own again without jeopardizing England's proud position as the leading industrial country. And till then the grass lands would form, so it was thought, an easily available 'reserve of fertility which might be drawn upon in case of emergency for the growth of corn and other crops.' There was thus nothing in the political and economic

forecast which seemed to justify the abandonment of the free trade policy that had enabled England to exploit the rest of the world for her own benefit. The only significant departure from it was the imposition so far back as 1902 of a duty of 1s. a qr. on imported corn; but its real object was the establishment of imperial unity on the basis of a preferential tariff. And no serious attempt was made by government before or after that to accord effective protection to English agriculture, because it was felt that all was well in the economic arrangements on which England's commercial and political greatness had been built up.

From this dream of optimism, there was however, a rude awakening when the war broke out. The prices of cereals soared up almost immediately after the commencement of hostilities, and by the middle of 1915 their level was higher than what it had been before foreign competition beat them down. Yet the improvement, marked as it was, failed to evoke a corresponding increase in the indigenous production. The acreage of wheat and of oats did, indeed, increase in 1915 by 430,000 acres and 200,000 acres respectively, but the extension was obtained at the expense of the barley crop as there was no increase in the total area of arable land. And in the year that followed, the wheat area went back once more by 280,000 acres, while there was a similar curtailment of the acreage under potatoes and certain other crops, the figure for the season showing 'a decline of more than a quarter of million acres from the total of 1915'. The effect of the shrinkage was, moreover, accentuated by a

partial failure of the wheat and potato crops owing to the vagaries of the weather.

The conduct of the farmers during this critical period was cavilled at, and it was pointed out that they had devoted undue attention to the barley crop at a time when the demand for bread corn was becoming painfully intense. But before pronouncing judgment on them, account should be taken of the circumstances which must have exercised a certain amount of paralyzing influence on their industry and enterprise. The shortage of labour was distressing in the early days of the war; it prevented them not only from adding to their ventures but also from earning in some instances a fair profit on what they had already invested in their business.* The seasons were inclement for the culture of cereals, and the wet seeding times and

* The following statements of a Lincolnshire farmer, quoted by Mr. S. C. Oswin expresses the farmer's point of view regarding the shortage of labour. 'I farm between 400 and 500 acres. Ten years ago I employed 2 foremen and 8 labourers and had 3 married wagoners and 4 single chaps living in. At times I had 2 or 3 casual men and also 3 'day boys'. Very often there were 20 hands to pay on a Saturday night. . . . Last Saturday I had only 9 men and 1 boy to pay. Instead of me wanting over £18 a week for wages, as I did last January, £10 is now ample. Some people are foolish enough to say, "Yes, look at the money you are saving in wages". . . . Instead of saving money I am losing. Last week I had two pairs of horses idle, because I was short of men to work them. . . . I can't get day boys; they prefer to go to Lincoln and learn a trade or work in the foundry. The result is I have men doing boy's work. . . . At one time the servant-girls in the house did the milking, but they can not be found to do it now. It has come to this. I have made a bit of money, and rather than go on as I am doing now, I mean to chuck it. It is my intention to give up all my land next Lady Day and live on what I've made."

harvests as well as the arid springs induced naturally enough a spirit of timidity. Besides, as Mr. Lennard observes, the course of cereal prices had been marked by fluctuations and so could not point to 'a long continuance of the conditions which would make a large extension of the arable area profitable.' It was hardly to be expected that farmers would in the general interest adventure their money in undertakings which owing to the uncertainties of the demand and the rising prices of the requisites of production offered no assured prospect of a remunerative return. The call of the country might have been recognized by them as clearly as by any other class of business men. It could not, however, from the nature of the motives that prompt to industrial activity persuade them to conduct their business on unbusinesslike principles. Other classes of workers did, indeed, show a more commendable alacrity in submitting to losses and privations for the general safety. But the 'geographical dispersion' of their industry prevented the farmers from being so readily amenable to that mass suggestion which drew the urban population into concerted activity for the common good. And probably there was also the feeling that the risks and losses incidental to untried conditions should have been borne by those who by virtue of their privileged position were able to appropriate the unearned increment resulting from the progress of the community.

But whatever may be the verdict on the conduct of the farmers, it is impossible to acquit the Government of irresolution and a tendency to minimize difficulties instead of squarely facing them. It knew better than individual

farmers or associations of them to what extent England was dependent for foodstuffs on foreign supplies. And bitter experience had given the lie to its comfortable assumption that grass lands would be broken up to meet emergencies if prices of cereals rose to stimulate production. Yet it turned its back on the recommendation of the Milner Committee that the cultivation of wheat should be encouraged by a guaranteed minimum price of 45s. a quarter. The excuse for this policy of drift was that 'interference with the free play of the market would impair the confidence of the trader and reduce importation to a greater degree than the increase in production.' But there was absolutely no justification for supposing that supplies from distant quarters of the globe would continue to be regular and sufficient during a war like the one in which the country was engaged. And the true explanation of this 'wait and see' attitude is that government lacked the courage for taking a drastic measure in a situation that urgently demanded it.

For what was the situation? For some years before the war, the United Kingdom had raised only twenty per cent of the wheat that was required for its inhabitants. And though the disproportion was not equally glaring between the production and consumption of other cereals, yet only about forty per cent of the necessary foodstuffs could be obtained from its soil. After the outbreak of hostilities, an attempt, not very serious, was made to improve the yield in response to public feeling; but it was thwarted by inclement seasons. And an extension of the arable area at the expense of grass lands appeared impracticable owing to the

paucity of farm-hands and the rising prices of fertilizers and other requisites of production. The country was thus more dependent than ever on distant countries for her food supply, and this was an element of weakness in more senses than one. The German submarine campaign, had it completely succeeded, would have starved her into submission. And though it was defeated, the Government was handicapped in its struggle with the enemy by 'the necessity of allocating to food supply so large a proportion of the available tonnage needed for other purposes and of employing part of the naval strength to protect it.' Besides, the cost of the imported food, which had amounted to over two hundred and twenty million pounds a year before the war, rapidly increased during its progress and so affected adversely the purchasing power of the country. Nor was it difficult to foresee that besides crippling her resources during the continuance of the struggle, it would leave an almost intolerable burden on the shoulders of the tax-payer even after the return of peace.

Government awoke at last to the magnitude of the danger. The acreage under wheat at the close of 1916 was, inspite of the urgent need for increased production, fifteen per cent. less than what it had been even in the preceding year, and there was a similar decline in the area sown with potatoes. Among the causes of this shrinkage was the great and rapidly increasing dearth of agricultural labourers. Many of them had joined the army, while others had been 'attracted away from farm work by the higher wages which were to be obtained in munition factories, in the building of camps and aerodromes

and in other occupations connected with the war.' The exodus of the country population was not, indeed, a new thing. It had decreased from 1,269,371 men in 1871 to 1,00,743 in 1911 and 800,000 in 1914. But attention was forcibly directed to it by the exigencies of war. And then it came to be recognized that the growing industrialization of the community involved a twofold evil. Much of the misery consequent on the dislocation of trades that catered for distant lands and depended for raw materials on foreign sources of supply could have been avoided if English agriculture had been prosperous and had employed a large and growing section of the population. At the same time a bold and hardy peasantry would have met without serious difficulty the increasing demand for effective fighters. These considerations received more than their due weight in the circumstances of the time, while the cost to the community of a prosperous agriculture and the limits in any case of that prosperity were naturally lost sight of for the moment. Hence it could not be ignored that of the 800,000 men that were at work in the farms on the eve of the war, nearly 250,000 had left the fields to join the army and that fresh drafts on the reduced numbers were impending. Something, it was felt, had to be done immediately to reinforce the depleted ranks of agricultural labourers and to check the upward sweep of agricultural prices.

The measures adopted by the Government were prompt and decisive, and they made amends for the irresolution shown in the earlier years of the war. A Royal Commission was appointed to control the purchases of wheat and the operations of the milling industry, and on

January 1, 1917, a new department was created of the Board of Agriculture to encourage increased production of cereals on the soil of the country. As the season had advanced when this Food Production Department was organized, it could not secure an immediate and substantial expansion of the arable area, though there was some measure of willing response to its appeal for greater production. But it was armed with extensive powers under a regulation, which authorized the Board to direct the occupiers of land to cultivate it in the manner that appeared desirable for maintaining the food supply of the country, and if necessary to enter on it with a view to take such steps as were calculated to increase production. While the control of production was thus assumed for the national safety, an attempt was made to put down profiteering and speculation by middlemen through the agency of the Food Controller who had been appointed in December, 1916, with powers to fix prices and control the distribution of all articles of food. And for the next three years he regulated the supply of grain, milk, meat, cheese, butter, potatoes, eggs, fruits and certain vegetables, by fixing maximum prices and enforcing them through an army of inspectors.

These administrative measures were followed up by the Corn Production Act, which received the royal assent on the 1st of August, 1917. It incorporated and even amplified the regulation which had been issued on the 10th of January to stimulate the production of foodstuffs. The Board of Agriculture was authorized, for instance, to prescribe the mode of cultivation and the use to which the land should be put and to punish non-compliance with

its orders or failure to abide by the rules of good husbandry by directing the cancellation of the lease or by entering on the land and taking measures for its proper cultivation. Thus production was to be regulated in the general interest, while the regime of maximum prices, which dated from April of the same year, would prevent those who were engaged in the regulated industry from taking full advantage of favourable conditions of the market. The situation was made tolerable for them by clauses in the Act which guaranteed minimum prices for wheat and oats and gave an assurance that the system would continue for the next six years. 'If the average price of a quarter of wheat or oats for seven months from the beginning of September in any year was less than the guaranteed minimum price for that year, the farmer was entitled to be paid four times the amount of the difference for every acre planted with wheat and five times the difference in the case of oats for every acre planted with that grain.' While the farmers were thus protected from the consequences of an abrupt break in prices, the unattractiveness of farm labour was sought to be remedied by establishing some sort of correspondence between its remuneration and the wages of unskilled workmen in the towns. The Act provided that 'minimum-wage rates were to be fixed by a Central Agricultural Wages Board consisting of representatives of employers and of workmen in equal numbers and of certain members appointed by the Board of Agriculture, that district committees were to make recommendations in the matter to the Wages Board, and that the minimum wage was in no case to be less than twenty five shillings.'

It is only fair to take stock of the results obtained by the operation of the Act before discussing its merits on general grounds. There was an expansion of the arable area by 1,348,000 acres in a couple of years, and the yield of grain in 1918 was about forty per cent. more than what it had been in 1916. This increased production, accompanied as it was by a similar improvement in the output of potatoes, meant a saving in tonnage of 2,600,000 tons; and shipping, as has been said, was 'the limiting factor in the prosecution of the war at that time.' There was, however, as Mr. Lennard takes occasion to remark, another side to the picture. 'With the exception of cows in milk, the totals of all classes of stock were lower in 1918 than in 1916.' But the decrease of stock was certainly out-weighed by the increased supply of foodstuffs and milk in the circumstances of the time. It should be observed, however, that the rapid recovery of English agriculture was not secured entirely by the insurance against loss and privation which was offered to farmers and farm-labourers by the provisions of the Act. The dearth of labour would have paralyzed all efforts in this direction, had not the War Office lent temporarily large numbers of men on home service, when the call for work on the farms was most urgent. Valuable assistance was also rendered by enemy prisoners of war, who, it is said, did excellent work and were even preferred to the available local labour. Then there were the boy scouts, the public-school boys, and the college students, whose services were much in request and were cheerfully offered during harvesting operations, while much of the accessary labour

was furnished by women.* The phenomenal increase in the acreage of arable was, therefore, not wholly due to the two-fold protection afforded by the Corn Production Act. It was rather the triumph of organization and public spirit.

The guarantees offered by the Act with regard to minimum prices were rendered inoperative by a sustained rise in price-levels, which could not have been foreseen at the time, as it contrasted with the fluctuations of the previous years. And the rise was, in fact, so revolutionary as to bring into operation the orders relating to maximum prices, which prevented the farmers from profiting to the fullest extent by the conditions of the market. They gained, however, on the whole by the existence of the guarantees, as it enabled them to extend their business with a certain measure of confidence. And where Government took over the output, they were spared the risk and expenses incidental to the preservation of the crop with a view to its disposal in the best market. At the same time, while the cost of production rose, many of the things needed for their work were supplied in sufficient quantities by the Food Production Department. The facilities which were thus offered were of inestimable value, as the trades on which the farmers had formerly depended for the supply of the requisites of production

* The position of women in economic life under normal conditions is still a disputed question. There is, no doubt, much to be said against their indiscriminate employment in all sorts of industries. But it is interesting to observe that in accounting for the success of Germany in solving her food problem though her soil is not particularly rich, Mr. Butterfield lays special stress on the fact that 'German society rests on the broad back of German farm women.'

had been disorganized by difficulties of transport. But they could not have expected patronage of this kind had not Government decided to regulate their industry in the interests of the consumers. The manner in which the problem of labour shortage was solved and the deficiency in the supply of seeds and fertilizers made up enabled the farmers to earn handsome profits during the closing years of the war. And there was, in fact, the impression in certain quarters that the more prosperous among them had taken undue advantage of the public need. But it was evidently impossible to rule out differential gain resulting from superior ability and industry, while fixing a flat rate of maximum prices which was calculated to hearten the resourceless and the indolent.

The law conferred on agricultural labour the twofold benefit of a rise in wages and a reduction of working hours. Here, too, it is true that economic forces brought about an appreciable and general advance beyond the guaranteed minimum. But these forces would not have come into play had not the assurance of remunerative prices heartened the farmer and induced him to increase his investments. This assurance, again, was immediate in its effect, as before the close of 1917 there was no county in England and Wales, where able-bodied labour earned less than 30s. a week. Besides, the increase was largest in those districts in which labour had been very poorly paid. And this was due, no doubt, to the influence of the Central Wages Board, which aimed naturally at the standardization of rates, and so 'narrowed the gap between the highest and lowest paid counties.' There are

reasons, however, for thinking that the improvement was more apparent than real, as a comparison of the figures for 1914 and 1918 reveals the fact that the average rise in wages was only about 88 per cent. as against a rise of nearly 85 per cent. in the prices of those commodities on which they were chiefly spent. But even this improvement might not have been secured without strikes and disturbances and a consequent dislocation of the productive machinery, had Government left the matter to be settled by the relative strength of the parties concerned. All these were avoided by the timely mediation of the central and district committees which were constituted by the Act.

As an emergency measure, therefore, the Corn Production Act answered its purpose very well. This object, it may be thought, might have been attained if the dearth of foodstuffs had been left to produce its inevitable effect in the form of enhanced prices and profits. But then prices would have soared much higher than they actually did, and a proper adjustment of supply to demand might not have taken place with that rapidity which was essential in that period of crisis. The experience of the early years of the war which revealed so much inertia in the farming community is not, of course, conclusive on this point, as the upward trend of prices was neither very pronounced nor sustained before the autumn of 1916. But as the breaking up of waste land or meadow becomes profitable only after a certain length of time some assurance was probably required that the sudden rise in price-levels would not be followed by an equally sudden and revolutionary fall, to bring about an imme-

diate and considerable extension of the cultivated area. And such a pledge was offered by the Corn Production Act, when it fixed the minimum prices of wheat and oats for six years ahead. At the same time it facilitated the increase of production by creating a suitable machinery for preventing friction between capital and labour which too often hampers progress in periods of augmenting demand and rising prices.

The Act, therefore, ensured an adequate supply of foodstuffs at prices which were not unduly high in the circumstances of the time. It gave also a much needed stimulus to agriculture which, when every thing is taken into consideration, must be regarded as of special importance even to an industrial community.* And lastly it enabled labour to avoid the losses which are usually inflicted by a depreciation of the currency without having recourse to those violent expedients which even when they attain their end injure the community by disturbing the arrangements for production. These were its achievements, and it is impossible to overestimate their importance when we bear in mind that disturbed relations between the agents of production or a slackening of productive activity might have led to national disaster.

But it had also the drawbacks of an emergency measure. The amount of restraint and surveillance which was put up with when 'patriotism and a spirit of willing helpfulness pervaded all classes' must have proved in-

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* The arable area was 10,998,254 acres in 1914 and 12,398,640 acres in 1918, while the acreage under wheat increased within the same period from 1,807,498 to 2,556,661.

tolerable after the return of normal conditions. Besides, guarantees which rendered even indifferent farming remunerative were calculated, when operating with a flat rate of maximum prices, to stereotype the methods of production and to make the farmer indifferent to the quality of the produce. And so they were bound in the long run to defeat the very object for which they were offered *viz.*, a progressive increase of production, by placing the weaker and less enterprising producers above the fear of loss. Their maintenance would have imposed, therefore, an increasing burden on the tax-payer without securing a permanent advantage. At the same time, owing to "the alternative nature of the farmer's business," they could not be expected to ensure the disposal of his produce in the manner which appeared to be of special importance or urgency in the national interests. For instance, there was nothing to deter him from using the yield of his fields as food for domestic animals and selling them instead of selling the crops when their prices were not sufficiently attractive. It was possible, no doubt, to prevent this by adopting a scale of parity of agricultural prices; but such a scale could not be easily constructed, nor could it give universal satisfaction, as the relative importance of the different kinds of agricultural produce varies in different places and at different times. Lastly, the fixed maximum prices, which, though they were not established by the Act, formed part of the same system, entailed a heavy responsibility on the Government in the matter of distribution. The various parts of the country were not equally fertile, nor did they enjoy the same facilities in the way of communications. The attempt, therefore, to meet their de-

mands for foodstuffs at uniform prices inspite of the varying expense of transport required a costly and intricate machinery of supervision and control which could not have worked very satisfactorily and was likely to break down at every stage of its acitvity.

These difficulties did not appear serious at the time and were at any rate counterbalanced by the advantages that were secured so long as the need for sacrifice and for concerted action was regarded as imperative in the face of national danger. Hence the idea gained ground that the principles underlying the Act might form the basis of a constructive policy for agriculture in normal times. "Visions of a self-sufficient England, independent of foreign supplies of cereals, and of the English countryside repeopled and prosperous floated before the imagination of not a few." And their hopes and wishes found authoritative expression in the report of the Selborne Committee which recommended a permanent extension of tillage as the only effective safeguard against the possibility of the nation's being starved into submission in the event of another war. But State encouragement and protection seemed to be the only means of attaining such a consummation. And the Prime Minister echoed the general sentiment in the matter when he said that "it ought to be a primary concern of every Government and every statesman to do what in them lies to promote agriculture," that, therefore, the record of indifference and inaction must be rolled up and "a new era in the relations of the State with the greatest and most important of its industries" must begin.

This new era seems to have been inaugurated with the appointment in July 1919 of a Royal Commission 'to enquire into the economic prospects of the agricultural industry in Great Britain.' And the policy of the Premier was foreshadowed in the terms of reference which required the Commission to devote special attention to the problem of a suitable adjustment between the prices of agricultural products, the costs of obtaining them from the land of the country, the remuneration of labour and the hours of employment. But the evidence of those who were examined did not point to an identical solution of the problem.* And it is noteworthy that the National Farmers' Union of England observed that while the question of an extension of cultivation was one of national policy to be determined with reference to the diverse interests of the community, "farmers as business men could adapt themselves to a regime of low prices and would face the abolition of all controls and guarantees with perfect equanimity."

After duly weighing the various shades of opinion, the Commission found it difficult to come to a unanim-

* There was, in fact, considerable difference of opinion among those who appeared to give evidence before the Commission. "The representatives of the Board of Agriculture advocated a system of guaranteed prices for cereals and for cereals only, because cereal production was the branch of farming in which the pressure of foreign competition was most severe. On the other hand, the Secretary of the Ministry of Food told the Commission that it was the policy of the Ministry of Food to maintain the milk supply by guaranteed prices and pointed out that milk was an essential which could only be produced at home and that, therefore, it was more important to keep up the output of milk than of any other agricultural produce."

ous verdict. And in the interim reports which they presented, the majority advocated the determination from year to year of the minimum prices of cereals with reference to the average costs of their production. But they held at the same time that no control should be exercised over market prices except in cases of national emergency. The minority recommended on the other hand the abolition of all guarantees and all restraints on the freedom of the farmer with regard to the use of his land, so long as the rules of good husbandry were respected. They proposed, however, that measures should be taken to increase his sense of security in his holding and to place within his reach all useful information relating to agriculture and the course of world prices. These they trusted would enable him to attain that measure of success which could be reasonably expected in the economic circumstances of his community.

The grounds on which these recommendations were based are quite as worthy of attention as the recommendations themselves. The majority were of opinion that while an increased production of corn might be required for the national safety, it could be obtained only by a certain measure of coercion calculated to bring about an intensified use of the arable and an extension of it even where the land might be profitably devoted to other purposes. They held, therefore, that if an attempt was made to rehabilitate English agriculture, it must be accompanied by guarantees which would protect the growers of corn from the risk of loss which was particularly great in their industry owing to the pressure of foreign competition. The minority contended on their

part that the measure of protection recommended by the majority would prove ineffective and might fail even to prevent a shrinkage of the arable area, that a policy of guaranteed prices would if consistently followed add materially to the burden of the already over-burdened tax-payer and that in any case it must be difficult to safeguard the interest of the producer without recognizing at the same time that the consumer had as good a right to be protected against him when prices ruled high. They met also the argument that increased production of corn would diminish the volume of imports and thus tend to correct the foreign exchanges, by pointing out that the same object might be attained without hardship to any party if cheap corn from outside enabled the country to increase its exports. Lastly they laid stress on the obvious consideration that the hot-house growth of the industry might be followed by a serious decline, if Parliament decided at any future time to withdraw the protection which had fostered that growth.*

The Commission had no opportunity of presenting their final reports, as the Prime Minister anticipated them by pledging the Government to the policy of guaranteed minimum prices. That pledge was redeemed by the

* There were other reasons for their dissent. "In the opinion of the minority, the recommendations of the majority were likely to be unfair to the producer of meat and to the large number of small farmers who do not derive their income largely from cereal production. Besides, it would be detrimental, they thought, to the best interests of agriculture were it to be obliged to conduct its operations on the uncertain basis provided by guaranteed prices. Guarantees could only be given by Parliament, and no Parliament can bind its successors."

Agriculture Act of 1921, which replaced the Corn Production Act of 1917. But the provisions of this new law show clearly enough that Government tried to steer a middle course and to combine as far as possible the conflicting recommendations of the Commissioners. For instance, the galling control over modes of cultivation and the uses to which the land might be put, that had been exercised by the Board of Agriculture under the Corn Production Act, was replaced by the milder supervision of the Ministry of Agriculture which was to take drastic measures only where an estate was being grossly mismanaged and to let owners and tenants work their property in their own way so long as the rules of good husbandry were not violated. These powers, moreover, of the Ministry were delegated to cultivation sub-committees of the county agricultural councils which had been created by the Ministry of Agriculture Act of 1919, and it was provided that an appeal should lie to the High Court if in exercising them it was felt to be necessary after an open enquiry to appoint a receiver of a mismanaged estate.

Security of tenure and a certain measure of freedom in the treatment of land were at the same time given to farmers by certain provisions, which modified considerably the Agricultural Holdings Acts. These provisions were,—" that a tenant should receive compensation for disturbance equal to not less than a year's or more than two years' rent; that adjustments of rent should be subject to arbitration and that a tenant should receive compensation for improvements under certain conditions even if the landlord had not consented to their execution."

But it was also provided that compensation for disturbance could not be claimed by those tenants who had violated the rules of good husbandry or failed to pay up arrears of rent or to agree to the terms determined by arbitration. These measures, it was hoped, would check indolence and carelessness and tend to increase production by assuring to the farmer the fruits of his industry and foresight.

An effective stimulus was sought to be given at the same time to the cultivation of cereals by the system of minimum guaranteed prices which was revised and established on a new principle to be in keeping with the increased and increasing cost of production. "Basal prices of 68s. for wheat and 46s. for oats were taken for the year 1919, and commissioners were appointed who were charged to determine from year to year how far the average costs of production of wheat and oats had changed in that year from those of the basal year 1919, whereupon the guaranteed figure of 68s. or 46s. was varied in like proportion. . . . . But since the verification of the actual quantities grown presented great administrative difficulties the crop was assumed to be 4 qr. to the acre, and the undertaking of the Act was to pay four times the difference between the average realised price and the guarantee on every acre of wheat grown and five times the difference in the case of oats, on the assumption of an average crop of 5 qr. to the acre. . . . . The payments made to any individual were, therefore, to be independent of the actual price he happened to obtain for his particular sample."

There can be no doubt that the rulers had profited by the experience of the working of a flat rate of maximum prices, as no attempt was made in this Act to interfere with the economic forces that regulate distribution. Nor was the mistake committed of ignoring the nature of the effective demand for different qualities of the same commodity and their varying costs of production. Provision was simply made for indemnifying the producer if market prices were cut down by foreign competition in such a manner as to deprive him of what appeared to be a fair remuneration for his labour and expenses. The machinery of trade was not to be controlled or disturbed in any way, so that the farmers could feel that there was nothing to prevent them from getting the full benefit of any improvement in the demand or in the quality of their produce. Effective protection against loss was thus sought to be combined with the assurance that the exceptional profits resulting from particularly favourable market conditions would remain with the producers. If, however, encouragement of this kind failed to bring about a satisfactory increase of production, the Ministry were authorized to give four years' notice of the termination of those powers which it enjoyed under the Act for the maintenance of the system of guarantees.

As regards labour, the law renewed the provisions of the Corn Production Act and moreover enabled the occupants of farm-tied cottages to claim compensation for disturbance if they were evicted by their employers without sufficient grounds. In April 1920, the lowest rate of remuneration for able-bodied adult males was raised to 42s. a week of 50 hours in summer and 48 hours in

winter. It was also decreed that the increase should in no case be less than 4s. where current wages were lower than the standard thus fixed. And there was a further revision of the rate in August of the same year, when the minimum was increased from 42s. to 46s. These improvements established some sort of correspondence between the reward of agricultural labour and the rapidly increasing cost of living and probably also a certain measure of equality with the scale of wages in other industries. Thus ample security was apparently offered to the two chief interests concerned of an adequate return for what they might do to prevent agriculture from going back 'to the dismal pre-war conditions.'

But this assurance "against ruin through the violent fluctuations of foreign agriculture" could not arrest the decline of British husbandry, while it materially added to the expenses of Government at a time when nothing was more important than economy. Even so early as 1919, there had been a decline in the prices of cereals in spite of a shrinkage in cropping to the extent of about half a million acres. The year that followed witnessed a further decrease of 346,000 acres of the area under wheat and of 292,000 acres of the area under oats, while there was a notable increase in the acreage of barley. And the decline did not stop even in 1921 in spite of the encouragement given by the Agriculture Act to the cultivation of cereals, for there was a fresh diminution of 285,000 acres in the breadth of grain. The cost of the experiment appeared, therefore, to be extravagant in the light of the disappointing results. And so in June of the same year, the Minister of Agriculture informed

Parliament that Government was not prepared to face any longer the financial liability imposed on it by the system of guaranteed minimum prices and that it had decided in consequence to give up the policy at the earliest opportunity and to abrogate along with it the provisions relating to the wages of agricultural labour.

Effect was given to this decision by the Corn Production Repeal Act, which came into force on Oct. 1, 1921. "The Government arranged to pay the farmers £3 in respect of every acre under wheat and £4 in respect of every acre under oats, the crop, of course, remaining the farmer's to sell at market prices. One million sterling was allotted to agricultural education and research. Part II. of the Agriculture Act—the part which dealt with tenants' rights—was to remain in force, save for a minor alteration in regard to the farm-tied cottage and with the exception of the provisions as to improvements executed without the lord's consent. As regards the control of cultivation the Minister of Agriculture only retained powers to order the destruction of noxious weeds. The whole fabric of minimum wage regulation was abolished, in its place voluntary conciliation committees were to be set up, and if a wage was agreed upon by one of those committees for its district and was afterwards confirmed by the Minister of Agriculture, it was provided that a workman who had been paid less than the agreed wage might sue his employer for the difference."

The abrupt change in the policy of Government must have caused a certain amount of unexpected and undeserved loss in spite of the compensation that was allowed to the farmers. For great as had been the

decline of the arable area since the summer of 1919, it might have been greater still but for the assumption which was not altogether unreasonable in the circumstances that the protection which had been allowed to agriculture would be continued at least for some time. The fall in the prices of cereals was immediate and considerable, and though it was more or less counterbalanced by an equally remarkable fall in the cost of cultivation, yet there can be no doubt that those who had started farming or extended their holdings of arable land during the years of inflation were hit hard by the downward sweep of the prices of agricultural produce. Labour too suffered during this sudden transition to the old order of things, for though it was marked by a certain decline in the cost of living, yet wages, we are told, were very variable and 'there was a distinct movement in the direction of longer hours.'

The course of British agriculture during the war, the influences that were brought to bear on it and the motives and ideals that prompted interference have revived old controversies and cast a new light on them. But though they have revealed the one-sidedness of certain pre-war modes of thought, they do not yet justify the assumption that the principles which underlie the present economic order must be abrogated or completely recast in the light of recent experience. And so one finds an irreconcilable divergence of views among the writers who have given their thoughts to the problem of reconstruction. Some of these are of opinion that national industry must have one mind and will, working through the agency of the State in the co-ordination of its different branches and

in the establishment of a harmony between the economic and other interests of the people. Others, however, are fully convinced that the nation has gone a long way towards solving its problems by sweeping aside the onerous legacy of the war in the form of State control and State assistance. And while the former object to the free play of the economic motive in the sphere of industry because it leads to anarchical individualism and impairs the national spirit, the principal article in the faith of the latter is that the economic motive, when unfettered, points to conduct which is coincident with public interest. All that is wanted is the absence of all sorts of governmental interference. 'Government,' say they, 'should keep the ring and leave it to the producers to play out the game.' Their opponents, however, invoke the authority of the State to right what appears to be wrong in the present order and to ensure a due regard for communal interests in the pursuit of individual advantage. The country, they believe, has been punished severely for the political indifferentism which was induced by the unrestrained pursuit of self-interest in industry.

It is a controversy which is as old as the science of economics. And just now it seems to possess more than a passing or a local interest, as the war has in the opinion of many revealed and even created conditions, which were not duly allowed for in the generalizations of the science. But for a clear comprehension of the question at issue, it is necessary to observe that the ordinary functions of the State cannot be the same as those which it assumes when under the pressure of abnormal conditions it becomes the trustee of the rights and immunities

which the individual temporarily relinquishes in its favour. At the same time it must be conceded that the abstention of the State from all interference may mean simply the restoration of the old order under which progress was attended with troubles and dangers and marked by occasional set-backs. This intermittent course of progress has been attributed by some to defects in the system that are said to have favoured certain classes to the detriment of others and thus established industry on an insecure basis. And if there is any truth in the contention, State intervention is certainly needed to correct the aberrations and to remove, if possible, those drawbacks that stand in the way of steady and satisfactory development. Besides, economists of every shade of opinion have welcomed it for the purpose of preventing industrial arrangements that shock the public sense of justice or threaten the public security. And in doing so, they have tacitly admitted that self-interest is not an unerring guide especially where other interests than the economic are concerned. Thus something more is expected by all of the State than the suppression of violence and the enforcement of contracts. And the dispute is really about the extent to which industry may barter its freedom in order to secure a more healthy growth.

The question, when thus simplified, resolves itself into the following enquiries, to which more or less definite answers may be given. What are the evils which it is sought to remedy? Are they preventible at all, and if they are, what is the price that must be paid for the cure? Lastly, is State action absolutely necessary for the purpose or will social and economic forces work off the

defects without outside control or assistance, now that their real character has been disclosed by bitter experience? So far as the subject of the present work is concerned, one of these evils is the exodus of the country population, and it is admitted on all hands to be a serious menace to the well-being of society. The peasants, says the Bishop of Exeter, are healthier and saner than people living in the towns. They have less of training but more of judgment and they make finer soldiers than their town brothers. Besides, not being addicted to celibacy, they have generally large families, so that England may be sure of having an effective army if their numbers are maintained. Their departure, therefore, for the centres of industry or for other lands is a loss to the country in war as in peace.

But how is it to be arrested? The expedient of a minimum rate of wages was tried, but it had to be abandoned when Government ceased to assure to the farmers a fair remuneration for their investment, whatever the prices of their produce might be. It was a retrograde step according to some; but the rulers were forced to take it to avoid financial difficulties. The health and the morale of the people are, of course, more important than material wealth, and so a reckoning of costs may appear to have been unstatesmanlike when these were at stake. But supposing the costs were cheerfully met, where was the assurance that agriculture would have continued to employ an increasing number of well-paid labourers? Lord Gascoyne-Cecil observes that scientific farming on a larger scale than at present and with electric-driven appliances will probably be the me-

thod of the future, and he assumes that it will create a demand for a more numerous as well as more efficient rural population. But it is more than likely that the expected development will be associated with a liberal use of machinery and a sparing use of human power unless the state of the market justifies a considerable increase of production.* Improvements in agriculture do, indeed, extend the field of employment in the long run, but their immediate effect is to restrict it except where a saving in expenses appears less important to the farmer than an increase of the yield. But he can have this privileged position in England only if normal profits are assured to him even when his methods appear extravagant in relation to the world prices of his produce. Thus it is not a stinted measure of protection or a sliding scale of minimum prices fixed with reference to ' normal costs ' that will prevent a shrinkage in the demand for labour when advantage is taken of recent improvements in engineering and applied chemistry.

Besides, even if the demand improves, it may fail to bring about a rehabilitation of rural life in England, for it is not merely the dearth of employment or the lowness of wages that is making the farm-hands desert the countryside. And Sir J. Crompton-Rickett lays his finger on a root cause which is operative in other countries as well when he observes that both social and economic conditions are tending to-day to draw men together instead of

* ' It is the better ideal,' says Sir Daniel Hall, ' to be able to manage a farm with 2 men per 100 acres minding machines and earning 30s. per week, than with 10 men digging or its equivalent at 10s. a week each.

dispersing them. These new conditions have brought urban and rural areas sufficiently close to one another to suggest a comparison at every step and the comparison is seldom favourable to the latter. For the loneliness and monotony of life in the country contrasts strangely with the amenities of town life and the varied interests which it creates. And even its exciting uncertainties have greater charms for the more ambitious among the agricultural labourers than the so-called peace and restfulness which are generally supposed to be theirs, because their work is done amid tranquil and even lovely surroundings, but which mean too often no more than a state of torpor bred of devotion to an occupation which promises no advancement and offers no scope for exultation in its results. At the same time they are far enough from the garish and artificial life of the towns to miss its squalid details of crime and misery. Hence homilies about the bracing effect of Nature on the body and the soul have no influence on them. They fly from fellowship with her to fellowship with kindred spirits which they can enjoy. There is variety, it is true, in her aspects; but it requires a greater or more trained intelligence than theirs to appreciate it. To them 'the spring is known only as the time of the scythe and the autumn as the time of the sickle, and the sun only as a warmth, the wind as a chill and the mountains as a danger.' It is not strange, therefore, that they are attracted by the many-coloured, many-sounding life of the towns and decide to share in it by abandoning an existence in which there is neither attainment nor genuine repose.

The soil has been found to be more patriotic than the street, and there is certainly an advantage if it provided home, health and opportunity to a considerable portion of the population. So this exodus from the land has been characterized as a fatal blot on English agriculture, and Government has been asked repeatedly and earnestly to take measures for stopping it.* But what are the measures to be? The drain, undesirable as it is, is an effect of modern civilization in the widest sense and has shown itself more or less in every country in which agricultural operations are not exceptionally remunerative. And so Mr. Joynson-Hicks is perfectly right in saying that a mere increase in wages will not stem the efflux, as men will go in increasing numbers wherever life and light are to be found so long as they have no roots driven deep into the soil. The remedy which he suggests is well worth a consideration, especially as it may be efficacious in other lands even if the peculiar circumstances of England render its application there a matter of extreme difficulty. "Mere tenancies," says he, "will not do—there is some magic in ownership and the smaller the owner, the greater the magic." So he would cut up over-grown properties into farms of moderate size to be owned and worked by the peasants, who should be accommodated in cottages provided by the State and assisted in meeting the initial expenses of cultivation by

* Mr. Joynson-Hicks draws attention to the fact that in 1842 out of a population of 16 millions in England and Wales, there were 2¼ millions engaged in agriculture, while prior to the war out of a population of 35 millions, there were less than 1 million so engaged.

pledging the credit of the country in their favour.* These measures, he admits at once, must appear drastic and even revolutionary to many; but they are fully justified in his opinion by the experiences of the late war.

The necessary land is to be obtained, of course, by compelling the owners of extensive estates to sell portions of their property. Such a step, he contends, can not be a more unwarranted attack on the rights of property than the appropriation of fifty per cent. of the income of the people by taxation, which has been found to be necessary for maintaining the solvency of the State. And it may be added that the freehold of the land belongs in the last resort to the community which has an inalienable right to prevent its diversion to selfish purposes. If, therefore, the uses to which it is being put constitute a menace to national life, there is every justification for recovering the freehold, so long as a fair price is paid to its present owners on the ground that their title to it was acquired during the suspension of the superior claims of the community. So here we are confronted with a couple of questions which must be carefully examined in the interests of justice as well as of expediency. Does the course of history countenance the as-

* Against this recommendation we have the authoritative opinion of Sir Daniel Hall who expressed himself as follows in the early days of the war. " The extension of the use of machinery would give to the more intelligent labourer the opportunity for raising his economic position to the level of the skilled mechanic in other forms of industry, and with this the housing difficulty would settle itself. Thus it may be that the great disaster in which we are involved may give a great and much—needed stimulus to the further industrializing of British agriculture.'

sumption that "life will flow once more into the channels that have been too long choked" if large properties are broken into units that may be cultivated by peasants? If it does, will the benefit from the proposed arrangement outweigh the price which must be paid for it and will it be unattended by peculiar drawbacks that may neutralize the gain?

Mr. Joynson-Hicks himself observes that at no very remote period the bulk of the land in the country was owned by small men and that these were gradually bought out by their neighbours. So the fact that the present concentration of property has taken place in the ordinary way of trade must be reconciled with the theory that small holdings cultivated by their owners represent a natural, healthy and economically sound state of things. The usual explanation of this apparent anomaly is that the liberty of the market which permitted the aggregation of land in a few hands was more or less illusory and that bad laws and especially bad poor laws sealed the fate of the yeomanry. It may also be added that the laws of entail and the cost of transfer which was often prohibitive stood in the way of a diffusion of property in land when circumstances seemed to favour it. But there remains the fact that during the Napoleonic war and in the years that followed the yeomen failed to hold their own against capitalist farmers mainly because their methods were uneconomical and even wasteful. It must also be borne in mind that when a notable attempt to create a race of peasant proprietors was made by the County Councils after the passing of the Small Holdings and Allotments Act of 1907, only a negligible percentage

of the applicants for small properties went in for ownership, while the rest elected to lease the allotments instead of purchasing them outright. There has been a change, indeed, in the outlook since the war, and the first-hand knowledge of rural France has created, it is said, a liking for peasant properties among those whose opinion really matters.* But even in France the small owner does not thrive in those parts which are the granaries of the people. He survives and flourishes only in those districts which offer special advantages to *la petite culture*, and such is also the experience of other progressive countries on the continent of Europe.

Mr. Joynson-Hicks would, therefore, protect peasant families by making "all mortgages of farms or holdings of less than fifty acres invalid." Thus he advocates not merely the abolition of the old restraints on free trade in land, but also the creation of new ones in the interest of peasant proprietorship. Hot-house culture of this kind may, however, stereotype the present methods of production, though recent advances in applied chemistry and engineering point to more effective processes of exploitation. The weakness of small men consists in their want of capital and of the ability to take risks. So it is proposed to finance them by means of land banks established and supported by Government. Concerns of

* Lord Northcliffe refers to this new ambition and to its proximate cause in the following lines. 'The men in the dug-outs talk of a good many subjects, but there is one on which they are all agreed. That is the land question. They are not going back as labourers or as tenants, but as owners. Lots of them have used their eyes and have learnt much about small farming out here.'

this type have indeed an educative value also, but they cannot possibly place expensive appliances within the reach of individual peasants or enable them to effect those improvements which have been so far obtained by the combined resources of capitalist farmers and landlords. And co-operation among them cannot remove the drawback, as the successive use of the same machinery by a number of men is precluded by the dependence of agricultural operations for their effectiveness on favourable meteorological conditions. So manual labour must still be the chief instrument of small men for obtaining an increased yield from the land. They may, of course, apply it ungrudgingly when the land is their own. But in the more important branches of agriculture and especially in the cultivation of cereals, their methods have been seldom as productive as scientific farming with mechanical appliances and with all the economies of production on a large scale. Besides, while intensive culture of the kind which is open to them employs a greater number of men, it may collapse sooner than capitalist farming for the very same reason, when the necessity arises again for considerable drafts on the man-power of the community.

It is necessary also to observe here that one of the reasons for proposing a change in the ownership of land and the nature of culture is that they are expected to render the country less dependent on foreign corn. But though they may maintain a larger number of workers on the land, it is by no means likely that the surplus available after feeding them will suffice for the teeming millions of the towns. Indeed, there is every reason for

assuming that it will be less than what is left over after meeting the costs of farming on a large scale. The experience of the Netherlands seems to be conclusive on this point, for Holland is dependent to a great extent on foreign corn though her non-agricultural population is relatively small, while in Belgium the lands which are most productive in cereals and in stock are in the hands of capitalist farmers. So their triumph in England over the smaller men cannot be set down wholly to unequal laws. The contest was mainly though not exclusively on the economic plane; and an attempt, therefore, to reverse its issue by legislative *coup d' etat* may be economically unsound. But if the future of agriculture lies, as it seems to do, with farming on a large scale, there is a distinct advantage in the divorce of ownership from occupancy, if the owners and occupiers co-operate as they did in the eighteenth century. For their combined resources are required, and what is equally important, they must put their heads together if agriculture is to profit by the latest inventions. This, however, is out of the question so long as estates are held primarily for purposes of sport, and agriculture is the occupation of people who lack ambition and evince a distaste for trouble and activity.

English agriculture cannot be said, therefore, to be established on a secure basis so long as the present apathy of the owners and occupiers of land endures. It had its origin in the last quarter of the nineteenth century when falling prices led to a considerable shrinkage of the arable. But the cultivation of corn continued to decline even after prices had looked up, and in the quinquennium just before

the War, 1912 was the only year which witnessed a movement in a contrary direction. It has been said that the alarm caused by the radical programme of Mr. Lloyd George was in some measure responsible for the failure of English agriculture to respond to stimulating influences. But besides the temporary flutter caused by the contemplated legislation against class interests, there was a change in the attitude towards the industry of those who controlled it. Nothing in the economic history of England is more significant for us than this new way of looking at land as property and as instrument of production, which was possible only because it was owned by rich men and cultivated by substantial farmers. We have seen how they had co-operated to make English husbandry the pattern of excellence when rising prices and the absence of foreign competition had held out the prospect of uninterrupted prosperity. Here, however, do we see the other side of the shield, for a community of small owners could never have slackened their efforts to maintain their position merely because there were rivals in the field who had some advantage over them. Moreover, they have as a rule more staying power than tenant-farmers, who as residual claimants in the distribution of income have to bear the whole of the loss when times are bad. The peasant proprietor on the other hand is labourer, landlord and farmer in one. So when declining prices rob him of expected profits, there is still his income as owner and labourer to fall back upon. And even if bare wages are all that remain to him as the reward of his industry, he knows that he cannot be much better off elsewhere. He is thus at any rate more of a fixture than the tenant who

works his holding with hired labour and pays for its possession from year to year. For unless the latter lacks enterprise or prefers other things to the maximum return, he will withdraw his capital from his business and invest it in more attractive undertakings when he is threatened with loss in his own. And if there are serious difficulties in the way of a change of occupation, he will at least cut down his investment as far as he can, since his losses must be commensurate with the amount of capital involved. The proprietor too, if he is a rich man, will abstain from taking risks by sinking his capital in land for the sake of a doubtful gain. Thus economy will be set by them before an increase of production, and the land will consequently produce less than it can be made to yield by strenuous cultivation and a liberal use of capital.

All this, however, does not prove that there is greater economy or greater production when the land is owned and worked by small men. And so an attempt to create and maintain small properties at the expense of the State cannot be justified on economic grounds, especially as patronage of this kind may prejudice farming on a large scale in more ways than one. The truth is that in every country of any extent there is a diversity of conditions fitted to give proper scope to each of the rival systems of farming, and that the maximum produce is obtained by removing all legal impediments to their development in suitable circumstances. Such a consummation, however, is out of the question so long as land is owned in quantities that make effective administration impossible and is valued mainly because it offers the means of a

comfortable existence unattended by the worries and uncertainties of industrial competition.

Many of the estates in England measure ten thousand acres or more and so cannot be properly managed or controlled by their owners.* They are valued chiefly for the social position and political influence which they confer. Hence much of the land is under-rented, other considerations than the economic weighing with the proprietors in the choice of their tenants. And this enables the farmer to lead an easy life on a modest income. He has lost his old taste for experiments and, above all, his ability to take risks, which has been felicitously described as the life-blood of progress, while he has learnt to prize a placid existence untroubled by the harsh struggles and the tempting speculations of industrial life. This attitude of mind was the outcome, of course, of the disconcerting experience of competition with countries which possessed an advantage over England in the production of food-stuffs. But it has been fostered and strengthened by the uneconomical administration of their properties by the landlords.†

* Such is the opinion of Mr. Joynson-Hicks, who thinks that it is only a 'monstrous abuse of the land laws' that has led to this concentration of real property.

† Compare what the Bishop of Exeter says on the subject. "With the low rent the landlord requires, the farmer has no need to bring more land under the plough or in any way to improve the condition of his holding. In fact, he not uncommonly lets land drift into almost uncultivateable conditions. . . . He does not want intelligent people, he thoroughly despises any scientific development that would need intelligence, he mistrusts even those agricultural experiments that his Canadian son has used these twenty years.'

Landlordism is tolerable only so long as the landlords are active partners with their tenants in the work of production, giving it the benefit of their broader outlook and financing it in the manner that may be expected of them. It will be hardly contended to-day that the attempt to limit the uses to which property may be put is an unwarrantable encroachment on the rights of ownership. Land is a commodity of far other importance than anything else, and there can be no doubt that its use for selfish or temporary objects may seriously injure the national life. Moreover, the principle, which underlay the feudal system under which these properties originated, associated important duties to the State with the ownership of land. Those duties may have changed in course of time ; but no legislative measure of a previous generation could absolve the proprietors of all sorts of obligation and thus rob posterity of its inherent and inalienable right to see that the land is not diverted from the purposes which are conducive to the public good.

Besides, as Mr. Joynson-Hicks pertinently observes, there is no greater invasion of the rights of property in making it difficult for a handful of men to keep vast stretches of land simply for their enjoyment than there is in taxing millions to the unprecedented extent of about ten shillings in the pound. But his proposal that overgrown estates should be cut up into manageable holdings has materialized to some extent owing to the change in the economic situation and outlook. There is to-day a wider diffusion of property in land than there was before the war. For in the years that witnessed the control and protection of agriculture by the State, the

landlords were impelled by the rise in the rate of interest and the pressure of enhanced taxation to part with what had proved for some time a costly luxury to them, while the farmers bought up all that was thrown into the market to avoid the disagreeable alternative of quitting their holdings. But was this transfer of ownership a gain in every respect? It might have deprived the agriculturists of that capital which was urgently needed for improvement of their farms and in their methods. "Besides since land fetched very high prices, it meant that, instead of paying an augmented rent from year to year as the profits of farming allowed, the farmer did what was equivalent to promising an increased rent for the rest of time, either in interest on borrowed capital or in foregoing the income which he might have obtained from an alternative investment."

The history of landlordism in England is particularly interesting, because it is an account of high achievements and miserable lapses. So the conditions of its success as well as the circumstances which condemn it to failure are better studied here than in the annals of countries where its traditions are traditions of ineptitude if not of positive injury to the community. It is mere pedantry to characterize a system which has had a long though chequered existence as absolutely bad on *a priori* grounds. Nor is it quite fair to justify it where it has uniformly disappointed expectations by assuming that it is bound up with important social and political advantages. For economic well-being and social and political progress are so closely related that they seldom move in contrary directions. The institution worked well in England so

long as agriculture was prosperous, but ceased to exercise a salutary influence when it fell on evil days. It is remarkable, therefore, that it should prove a noxious weed where everything makes for agricultural prosperity. But a key to the riddle is to be found in the very manner in which English landlordism has changed its character with the alternating fortunes of the industry. English landlords did well so long as they were thoroughly imbued with the commercial spirit and had reasons for thinking that the improvement of their estates was the best of all investments. But this harmony between their particular interests and those of the community disappeared when they abandoned the idea of making money out of their property and came to prize it simply as a means of acquiring social and political influence and obtaining an occasional and welcome change of scenes and amusements.*

It must be observed, however, that the commercial spirit of the landlords did not always produce satisfactory results even in England. It proved a blessing on the whole in the eighteenth century because the landlords had to deal with men who had some measure of enterprise and some command of capital and could, therefore, earn their livelihood in other ways if agriculture appeared unremunerative. The proprietors had no strategic advantage over them and were perforce content with what remained after meeting the demands of capital and labour as determined in other fields of industry. But they

* A competent observer says that the landlord "as little thinks of making money out of his land in country districts as he does out of his wife's diamond tiara or his own motor car."

tried very naturally to increase their share by increasing the productivity of the land or by pointing the way to new and more effective methods of exploitation. And they succeeded very well so long as there was a brisk and growing demand for the home produce. Their surplus wealth fertilized the soil much better than the individual or united resources of the farmers could have done. But such a result cannot be expected where property in land is sought as the last stronghold of privilege in the decay of ancient order and tradition. And it is out of the question also where the cultivators are small men destined to till the land or to starve and incapacitated by their training and their meagre resources for co-operating with the proprietors in the improvement of agricultural methods or of their holdings. Landlordism is doomed to failure where these conditions are present.

They are not, indeed, in evidence in England even to-day. And yet the interest of the landlords in their property is progressively declining. This is obviously due to the demoralizing conviction that no effort of theirs can restore to English agriculture its lost prosperity, so long as home producers have to compete on terms of equality with the foreign growers of wheat.* The com-

* The manufacturing and commercial interests of England will not probably tolerate protection to agriculture as a permanent policy. Besides, as Sir Joseph Crompton-Rickett observes, the nation may not be willing to surrender itself to the mercy of the variable climate of the country. There is a distinct and obvious advantage to the English bread consumer in the fact that 'the miller's grist is made up from wheats drawn from various parts of the world.' And the nature of England's commercial relations with the rest of the world may still enable her to obtain the necessary supplies with comparative facility,

plaint has been loud and persistent that they have allowed extensive tracts of land to lie waste in the heart of one of the most densely peopled countries. But they have probably done so because the letting value of such land is next to nothing and not because their passion for sport is more intense than that of their ancestors. Such at any rate seems to be the legitimate inference from the fact that the area of the arable has shrunk once more to its size in 1914 as a result of the withdrawal of protection from agriculture. The truth is that the economic motive is weak among the landlords if not quite in abeyance, and that it is weak because the agricultural situation and outlook do not furnish ample scope for it.

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so that 'if the harvests of the northern Hemisphere are disappointing, the Southern Hemisphere will come in to redress the balance.' Hence though the question whether protection is a remedy for present evils has been asked with greater insistence than ever and it has led to a considerable difference of opinion among those who are in authority or are interested in agriculture, the policy of open doors for food products or some modification of it in the form of a preferential scheme will probably be maintained. But the policy of England may not be the right policy for every other country. The time is past when the protectionist creed could be dismissed with the observation that if adopted it would lead to a decrease in the national income. International trade may result in mutual gain, when that gain is measured in rupees, annas and pies. But recent events have shown clearly enough that the balance of imports and exports cannot be taken as a reliable index of national well-being or national safety. And so there has been a readjustment of emphasis, as it were, which does not tally with market values. Political Economy cannot, therefore, brand protection as uneconomical unless it is merely applied arithmetic. Those, who inveigh against the policy of free trade lay stress, as Prof. Nicholson justly observes, on the salutary influence of organization and good Government.

Additional taxes on the land will not strengthen this motive, though they may lead to the enhancement of rent wherever the tenants are paying less than the net produce of the soil. They may discourage also the investment of capital on the land by the landlords, who so far as they are the owners of things that require periodical renewal are capitalists as well. So the only important object that is likely to be attained by an augmentation of their burden is a wider diffusion of ownership in land. But except where peasant properties can be successfully created, such a consequence is hardly desirable from the point of view of production. For one of the advantages of landlordism is that the self-interest of the proprietors brings about the elimination of the weaker producers, since generally speaking those are able to offer the highest rents whose methods are most economical or most productive. But for the same reason it can serve no useful purpose, where the soil is on the margin of utilization or below it unless the prospect of future gain induces the owners to improve it. So there can be no justification for the private ownership of vast stretches of wilderness, which their owners mean to keep as such for their own enjoyment. Nor can there be any for their taking advantage of the high price of land, as many of them did at the close of the war, when they sold their estates and invested the proceeds in gilt-edged securities.

It is now generally acknowledged that individual property in land cannot be quite as absolute as property in other instrumental commodities, which have been created by human effort and are susceptible of multiplication by it. If the community has an implied right to

its freehold, it follows, indeed, that individual ownership should be tolerated only so long as there is a harmony between individual and social interests. But the aggregation of real property in the hands of a small number of men is not necessarily incompatible with such a harmony, and so it may continue to figure in the programme of the future. It has been contended, no doubt, that free trade in land is obstructed where land is held in large estates. But there may be a similar impediment to experiments on a large scale where the land is held in small properties. And after all, what is really wanted is free trade in its use, which is quite consistent with landlordism. This bare consistency, however, cannot justify landlordism as an economic institution, as the same object may be attained by vesting proprietary rights in the State. But the State cannot, except in a general way, assist or encourage the primary industries, while in favourable circumstances, it is the obvious interest of the private owners of land to employ their resources in its improvement. And they are as a matter of fact alive to this interest except where the size of their properties or their own prejudices and habits prevent an active co-operation with the occupiers. This co-operation, however, is rendered difficult by any attempt on the part of the Government to come between them and thus to interfere with the free play of economic forces. Interference is, it is true, advocated on the ground that one of the parties is too weak to hold his own, while the other is often too high to think of co-operating with him. But where it is out of the question owing to the weakness of the tenants or to the apathy of the proprietors, landlordism has no right to exist.

But though co-operation of this type will increase the productivity of the soil, it will not ensure the maximum production so long as the relation between capital and labour is one of mutual suspicion if not of covert antagonism. In agriculture the cry to-day is for more efficient and reliable labour. And a greater fairness in the distribution of wealth as well as an ampler provision for the training of the workmen in scientific methods has been suggested as a remedy for the defect. Mere training, however, will not remove it and even higher wages may prove ineffective so long as the workers are treated too much like material instruments of production, which have to be taken care of for the sake of their utility. Man's place in industry, it has been well said, is "not to be mastered but to provide free and willing service." But this is out of the question so long as industrial conditions do not permit the worker to take a genuine interest in his work. Production, however, on a large scale offers him no inducement at present for caring for the actual produce of his labour. Industry suffers, therefore, from the unnatural combination of agents that recognize no community of interests. 'Man is just now divided against himself,' and so his achievements are not quite as satisfactory as they might have otherwise been. The evil can be cured only in one way, especially as English farmers do not possess that degree of agricultural advantage which will allow them to offer wages quite as high as those that are earned in town employments. The efficiency of labour is conditioned by one or the other of two motives, viz. the fear of dismissal and the hope of profiting by special exertions. But as things are, the

first must be weak in the countryside, as loss of employment in rural districts is viewed with alarm only by the weak and the resourceless. Hence agricultural industry must be so organized as to offer free scope to the other incentive to labour, which is certainly more potent and more salutary in its effects.

It has been proposed, therefore, to create small properties where this motive may have free play. The magic of ownership has been known to convert sand into gold, and there are some who think that the smaller the owner, the greater is the magic. This magic, however, is effective only in certain surroundings and in certain forms of culture which require much careful manual labour for their success. And the main lines of agricultural progress lie in the adoption of scientific methods and the use of the most up-to-date machinery, both of which appear to be beyond the reach of the peasant proprietor even where he has decided to co-operate with his fellows.* There is, therefore, much to be said against

* The cost to the community of such an experiment is not always taken into account, while there is often a tendency to assume that its patent disadvantages can be got over by co-operation. Lord Gascoyne-Cecil refers to them in the following sentences. "It is obviously cheaper to build one cow-house for two hundred cows than fifty for four cows each. How can a man who can only buy by the hundred-weight compete with men who buy by the ton? Again, he is handicapped by being unable to use machines. The people who talk about the co-operation of small holders in the matter of machinery forget the uncertainty of our English climate. Supposing there is a fine week in hay time, and one small holder has the reaping machine. He will cut his crop, make it and prosper, the next holder will fall on a wet period, lose his crop and be ruined." But what Lord

the assumption of finality in his methods of production. And such a finality is tacitly assumed in the proposal to supersede the present system of farming by an indiscriminate creation of small owners. Those who realize the weakness of this scheme place their trust in the growth of trade unionist organizations. But trade unionism is the outcome and symbol of the struggle with capital, and though it may have effectually protected labour in certain industries, its strength is of that type which risks a quarrel and fosters a spirit that is akin to class hatred. So there may be truce under its auspices, but not lasting peace and amity. The men in the hostile camps will work together for their common advantage but under a cloud of mutual suspicion. And they will be anxious above all not to recede an inch from their real or fancied rights. The best results cannot be attained, of course, with a spirit of unfriendliness like this. And the sooner it disappears, the better will it be for the community in more ways than one.

It is, however, more than doubtful that a healthy co-operation of this type will be soon in evidence in the commercial and manufacturing enterprises of England. They have done fairly well, though difficulties are thickening upon them in the form of industrial conflicts and social unrest. And so they may still ignore the signs of the times which indicate that things are drifting rapidly into a state of cruel class warfare. But even this false sense of security is denied to agriculture, which suffers

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Gascoyne-Cecil characterizes as the peculiar drawback of co-operation in England is an obstacle in its way in other countries as well.

to-day not from occasional dislocation caused by temporary disagreement between the different agents of production but from a chronic dearth of labour on the one hand and the stolid indifference of the landlords to agricultural interests on the other. So it is not the dread possibility of a future collapse but the poor result of a present lack of co-ordination that has to be confronted. And the remedy for it seems to lie in an honest recognition of identity of interests by all the classes that derive their income from agriculture.* The record of inefficiency and progressive decline may not be rolled up so long as they do not evince a ready willingness to work for the common good. The champions of peasant proprietorship would meet the difficulty by vesting the divergent interests in the same person. But in trying to do so, they must dispense to a great extent with the ameliorating influence of capital and trained intelligence. It will be, therefore, a desperate remedy, while the disease may not be quite so desperate.

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*Dr. Bowley justly observes that so long as industrial conditions and price-levels remain unchanged, a material and enduring rise in wages is possible only where there are considerable monopolistic profits or where the rise compels employers to be more economical in their methods. But perhaps economy would diminish aggregate employment so long as other things remain unaltered. And under ordinary conditions, farmers' profits are not in any sense of the term the gains of monopolists. So if wages rise, rents must fall. But the landlords are capitalists as well, and so the enhancement may be at the cost of the upkeep and improvement of the buildings and plant required for production. But it may be possible to interest the labourers in the fruits of their labour by making wages vary with the income from farming.

But whether England will immediately adopt a perfect system of co-operation like that fore-shadowed here may be seriously questioned. The traditions of capitalist farming are against it. And legislation may prove futile, as unless the right spirit prevails, it will be evaded by a travesty of profit-sharing in which stinted doles will be meted out to labour in years of fat harvest to supplement its meagre earnings. Such at any rate is the apprehension of those who look upon the organization of labour as a potent and even indispensable means of securing an effective co-operation of the physical and mental energies that are employed in production. But a critical study of its aims and methods does not justify this enthusiastic faith in its beneficent influence. There has been, it is true, a notable change in public sentiment towards the movement, and important sections of the public credit it to-day with the power as well as the intention of allaying the present troubles. It is not clear, however, how it can remove them or put an end to the social and economic unrest which threatens to ruin industry and to convulse the political fabric. It is generally speaking an effort to meet concentration of power on the part of employers by similar concentration on the part of the employed, though the best unions have other objects in view besides a conflict with capital for the improvement of wages. So the reconciliation which it may effect will not destroy that feeling of aloofness or create that spirit of comradeship which alone can give the most satisfactory results. What is wanted is the association of capital and labour on the basis of perfect confidence and good-will and actuated by a genuine desire on the part of each of them to

undertake the responsibilities for the well-being of the other. Such an association will be durable because it will have no enemies to fear and no awkward economic dilemmas to face.

Trade unions, when they are modest in their demands, claim that labour should have a living wage. And they have sometimes shown a repugnance to protracted strikes and a preference for the gentler method of compulsory arbitration. But the apparent fairness of their claim is only a rhetorical device for prejudging the case when there is much to be said against their contention on economic grounds. For it is only where the worker produces an equivalent for what he demands as his subsistence that he can get it for any length of time. It is, of course, open to him to refuse to work for less, but he

*This remedy was suggested as early as 1893 by Mr. H. E. Moore. "If a labourer, said he, "be offered a share in the profits, and brought to see that he is pecuniarily interested in the farm, it will cause many a man to give additional thought, energy and care to his work. It may give in some cases an incentive to the younger and more competent men to remain at farming work." But in order to be thoroughly beneficial, it must be more than a sharing of extraordinary profits in exceptional years.

†To those who propose that the price of a commodity should be raised till all concerned in its production obtained a 'living wage,' Dr. Bowley's reply is that if this is done in a single industry, 'it would result in a smaller sale of the product and less employment, while if wages generally were raised from the proceeds of higher prices, then all prices would be higher and the purchasing power of the new wage would be no greater than before.' But he takes care to say that this criticism is not valid in the case of those industries the output of which is exclusively consumed by the richer sections of the community. The cultivation of cereals, however, is not one of these industries.

cannot insist on being paid adequately so long as there is no commensurate return for the payment. This important truth, however, is ignored by trade unions, when in the interests of their members they encourage slow work and thus fail to set the necessary standard of efficiency. And the gentler method of compulsory arbitration by which they expect to enlist public sympathy is not altogether unobjectionable, for while the award binds the employer, it cannot be enforced against the employed, except by a revival of the fourteenth century measures against change of occupation and domicile. So capital must be shy wherever there is this one-sided liability unless effective protection is granted to it at the cost of the consumer or the tax-payer. But it is in the interest of the consumer that increased production is sought, while any considerable augmentation of it must be doubtful so long as industrial conditions discourage capital and business ability.

Trade Unions have certainly improved the material and even intellectual condition of the labourers in certain industries. They have also successfully combated the disposition to treat labour as a mere commodity and won for it in favourable circumstances a certain measure of that industrial and social power which it once possessed. But they tend to perpetuate the feeling that the interests of the capitalist and of the labourer are divergent and they are only too prone to ignore the interests and even the rights of the consumer. Besides, unionism has never achieved much for farm-hands owing among other reasons to the geographical dispersion of the industry. It did indeed gain ground among them during the days of the war. But

there were special reasons for it. In its endeavour to utilize to the fullest extent the resources of the country, Government naturally turned to representative bodies for support and assistance, and so it recognized the agricultural trade union as an integral part of the economic and political structure. It was called in to co-operate with State departments in the control of the various rural industries and in the selection of men for the colours. And it had a determining voice in the fixing of the minimum rate of remuneration for the different countries. So what it did to force up wages and to enable the farm-hands to recover arrears of pay led to a considerable increase in the number of unionists, especially as their enhanced remuneration enabled them to pay the prescribed fee for membership. But circumstances have changed since then, and it is not certain that the union will retain the commanding position which it held under the abnormal conditions introduced by the war.

The traditions of English industry and even of English agriculture which throve in the past at the expense of labour and the methods which labour has so far adopted to come to its own again may prevent the adoption of more pacific measures than those that are open to trade unions. Moreover, a satisfactory or durable understanding with capital may be out of the question so long as labour does not recover some of the ground that it has lost in the long years of capitalist aggression.* But it remains

* Dr. Ashley seems to think that a development of the rival organizations is required at present in the interests of industry and of those who are engaged in it. 'In spite,' says he, 'of recent storms the situation is really far more hopeful than it was when the com-

true that the attitude against the possible invasion of its rights which is taken up by trade unions is not the right way of reconciling it to capital. And so long as it is necessary to maintain this attitude, industrial peace will be liable to be disturbed by occasional labour disputes. If industrial success means increasing control over the forces of nature, then it must be difficult of attainment so long as there is division in the ranks of the producers. The experience of England, therefore, points to a danger which should be avoided wherever the need is being felt of replacing the effete, old-world methods by scientific production on a large scale. In our country, there has been only a bare realization of this need; but the ripplings of that discord which is shaking both Europe and America, have already touched our shores. Those who place their trust in the strife of labour and capital ought to bear in mind that a ready willingness to be helpful is of the essence of industrial efficiency and that a militant organization of labour of any kind fosters an ill-concealed antagonism not merely with capital but also with other forms of labour as well. This new spirit has not yet invaded Indian agriculture, which is still mainly on a small scale, though hired labour is being more and more largely employed. Its increasing employment will, however,

bination of the workpeople was actually far weaker; and the remedy would seem to lie in the direction of an even completer combination of the parties concerned.' He apprehends, however, that their increased solidarity and strength may not always lead to a satisfactory agreement or safeguard the interests of the consumer. And so he adds that 'the industrial organization of the future will probably emerge from a union of state regulation from above with spontaneous combination from below.'

prepare the way for large scale farming with scientific appliances, and if the latter is more economical or more productive, there is no reason why its advent should be regarded with misgivings. But the transition must be closely watched to prevent, if possible, the inroad of feelings and forces that might justify the association of labour in self-defence.*

Is labour then to be consigned to the tender mercies of the employers? The obvious answer to such a question is that labour is perfectly justified in combining in order to drive a hard bargain with capital where there is danger of its being exploited and the State cannot or will not afford effectual protection. But this danger is or ought to be remote so long as labour has some sort of permanent interest in the land which it work.† At the same time such a dispersion of property need not be an impediment in the way of production on a large scale if the necessary capital and enterprise are forthcoming. What is wanted for the purpose is a sort of chivalry in business, an amount of public spirit that reconciles the promptings of good-will and generosity to the pursuit of wealth. Chivalry of this

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*Capitalist farming is already in evidence in our country in the tea gardens and indigo plantations, and the relations between capital and labour are not always satisfactory in them. Some of them illustrate also how labour may be improverished and injured where the employer is also the landlord.

†The mere possession of a curtilage by the labourer is not, of course, an adequate safeguard against exploitation, as it will not enable him to tide over a season of unemployment, if haggling is necessary to secure fair wages. But where he possesses enough to maintain him for some time at least, capital must come to terms with him if it considers farming to be a profitable business.

type is not altogether foreign to human nature, and the course of events appears to indicate that it must be the best policy in the long run. That it is not much in evidence to-day is due mainly to ignorance or to shortsightedness, which tends to perpetuate itself owing to an uncritical faith in the finality of the present arrangements for production and distribution. 'There is,' says J. S. Mill, 'no action of a man's life in which he is neither under the immediate nor remote influence of any impulse but the desire of wealth.' But the other impulses have for some time ceased to influence business men to the extent that they ought to do. A wider outlook may cure the evil.

All this may sound like economic idealism. But idealism seems to provide the only escape out of the hideous realities of the present day. The union of workmen has been tried and it has hitherto ruled out friendly relations with the employers even where its methods have been kept within the bounds of law and order by the good sense and authority of the leaders. Besides, industrial hostility, however regulated, is certainly adverse to an increase of production which is felt to be the crying need of the hour. In England to-day the general complaint of the farmers is that labour is scarce and that what is available is not worth the price which has to be paid for it. The labourers feel on the other hand that in the countryside nothing is left to them beyond the darkness of an existence which offers no prospect and denies at the same time the amenities of the dwellers in town. So what is wanted is not an organization of labour against capital, which may bring about a cruel class warfare, but an organization of labour with capital in every separate

undertaking and on the principle that each of them will share with the other the risks and profits of the business. Such an association of the two human factors in production will be natural because it will reflect their interdependence in industry. And it will be durable because in case of difference, no other arbitrement will be required than that of self-interest. Lastly though it may fail to solve the food problem of England or to bring about a considerable extension of the area under cereals, it will do more than any other arrangement to check the rapid decline of English agriculture. But before partnership of this type can come into existence, labour must learn that a material improvement in wages will be possible only when there is a marked improvement in productive efficiency resulting in increased output.* And capital must realize more clearly than it has done so far that the first condition of the efficiency of labour is not technical training or close supervision but the interest of the workman in the actual product of his industry.

*Any great increase in wages must be out of the question so long as there is not a considerable improvement in business ability and in the efficiency of labour. There is, therefore, as Dr. Bowley says, a risk of disappointment, 'if there is an attempt to grasp the fruits of progress before the tree that might produce them has been cultivated.'

APPENDIX A

The Village Community and the Open Field System

Certain facts which have been brought to light by recent research cannot be made to square with the view that the interest and authority of the masters created and maintained the open-field system with its equality of holdings. Of these, the most interesting are to be found in the social and economic history of the Saxon or Ditmarschen portion of Jutland from the tenth to the fifteenth century. There is no proof here of foreign influence or of the domination of owners of extensive estates over a dependent population within this period or before it. The land was held by clans which were composed of brotherhoods or groups of related families. There was the same intermixture of strips within the arable area. But what was more significant was that the hufe or hof, the holding of a family, was never partitioned, but passed to the eldest or the youngest son, while his brothers elected either to remain as members of his family or to leave the shelter of their paternal roof after receiving some sort of compensation for their relinquished claims. This compensation, however, was more of the nature of an outfit required for setting them up in life than of a just price of the title of co-heirs to ancestral property. Similar treatment was accorded to super-numerary heirs in certain districts of Norway and Denmark, where normal holdings bore no necessary relation to the size of the families that

owned them, but appear to have been determined with reference to the conditions of effective exploitation of the land. In all these cases, however, we are on entirely free soil that spurned foreign interference and did not permit the enslavement of the cultivators by an aristocratic class. And yet the integrity of the holdings was maintained by prohibiting alienation into strange hands and ruling out the equal and independent rights of co-heirs. The over-ruling authority must, therefore, be sought in the communal conception that underlay tribal customs and showed itself even more clearly in the periodical distribution of the meadow and the undivided possession of the waste.

This communism, however, was radically different in character from the political and economic principle of equality which has received that name in modern times. The primary object of the Teutonic arrangement was not that the individual should have the means and opportunity of earning a decent livelihood, but that the well-being of the clan should be assured. To it belonged the land, and the rules relating to its disposal and management had distinct reference to collective interests and not to those of individual appropriators. The nature of agricultural industry prescribed that the cultivator should have a particular personal interest in the soil which was under his care. But as the communal group had a right to them, he was forbidden to enclose his plots, though it was obviously difficult to prevent trespass on them so long as they remained open. The first concern, therefore, of this prohibitive regulation (and the same may be said of many others) was not to assure to individuals or families the

fruits of their honest labour but to protect the clan or community of kinsmen from injury or injustice.

Pure tribal communities were not much in evidence in England as conquest and settlement brought together men of different tribes. But the traditional rules of husbandry and land-holding remained unaltered, and new elements were fitted into the old framework by standardizing the holdings of ordinary freemen. Indeed, no other mode of forming shares could be thought of so long as there was no change in the method of cultivation and of supplementing it by pastoral industry. And so when the manorial system appeared, it adopted the communal arrangements as necessary for the effective exploitation of the estate. But Meitzen goes too far when he says that the principles which dictated the mediæval rural arrangements were identical with those that have found expression in modern joint-stock companies. The tribal communities of the Teutons and the village communities which took their places were certainly not artificial associations for mere material gain. And it is much more correct to represent them as 'natural corporations,' rooted in tradition and bound and protected by customs that governed their political and social relations as well as their industrial activities.

Sir Paul Vinogradoff anticipates an objection to this view of the original character of the village communities and meets it. The holdings, it may be said, were not cut to a uniform pattern in Saxon villages; there were virgates, bovates and cotlands and even subdivisions and multiples of these, which were sometimes ignored by the landlords of a later age, because an imaginary scheme of

equal holdings 'offered a ready basis for computing rents and assessing labour services.' But the inequalities, flagrant as they were, simply indicated that the communities had swerved from the path of their original development. We have seen that forces were at work even from the outset which tended to warp them from their original shape and that these forces became irresistible after the settlement of the Saxons in the island. They could not, however, completely override the communal principle which dictated the original arrangements. For when the aberrations from the typical holding are closely examined, they are seen to fall into certain classes marked off from one another by abrupt transitions. They were, as Mr. Meredith observes, ¾, ½ or ¼ virgates, or 1¼, 1½, 1¾ virgates, or ½ hides, ¾ hides and so on. So the question naturally arises why there were no intermediate deviations from the norm. And the only answer that can be offered is that the variants were the outcome of opposing forces, one of which led to departures from the type, while the other set limits to those departures in the interests of the community.

The theory of a proprietary origin of the open-field system may, of course, be made to fit in with the incidents of conquest, if we suppose that the original Saxon States in the island were really small bands of warriors in possession not only of extensive stretches of land but also of large numbers of the defeated Britons, who were the slaves of the victors by the ancient rules of war. But it has to face the rebellious fact that co-operative farming on intermixed and unenclosed plots existed in the most exclusively Teutonic parts of Europe. Besides, due

weight must be given to the close similarity in other details between the land settlement of the Saxons in their new domicile and the land settlement in their father-land. The Hundert and the Gowe of Germany reappeared as the Hundred and the Shire in England, and both of them, it is said, were originally settlements of a popular or communal character, while estates like those of the king's thanes had a distinctly military origin. If the villages of the Saxon conquerors were only proprietary domains, there could be no reason for the introduction of these earlier units with their semi-independent life, which comprised and even controlled them in certain respects.

APPENDIX B

THE CEORLS AND VILLEINS

The degradation of the Ceorls is a subject of perennial interest, as it illustrates how economic inferiority and the surrender of administrative functions led to the enslavement of a class which was originally quite as free and had as good a title to the soil as any other section of the community. It was not foreign domination but militarism and the centralization of power and the growing costliness of a form of government, which strengthened its position by creating a class of influential men who had an obvious interest in supporting it that converted the ordinary allodiasts into hewers of wood and drawers of water for others. The disenfranchisement was gradual and slow and by no means uniform all over the country. We are, therefore, far from the truth whether we represent the process as cataclysmic and as brought about by the Norman conquest or assume with Seebohm that English society started with prædial servitude as the outstanding feature of its economic organization. Both these views are met by a reference to certain facts which have been brought to light by recent research. There are, however, a few others which seem to point to a different conclusion. In the West-Saxon laws, for instance, no distinction is made between the ceorls and the lœts. The distinction exists, however, in the earlier laws of Kent. So it is permissible to assume that its disappearance in the later codes was due in part

at least to some improvement in the economic and social status of the dependent workmen, which probably synchronized with a decline in the importance of the ceorls. Then, again, there is the fact that in the treaties with the Danes, the twihyndemen or ceorls are 'equated with the Danish leysings or freedmen.' But these were entered into by the great men who had profited by the decay in the ceorl's estate and so could not be expected to vindicate it in their negotiations with formidable foes.

The real character of this downward movement and the circumstances that contributed to it are revealed by certain facts to which attention is drawn by Mr. Lipson in his *Economic History of England.* There were, as he observes, numerous villages at the time of the survey of William I, which owned no service or tribute to any one; and some of these existed in districts like Cambridgeshire which had not been seriously disturbed by the inroads of the Danes. So it cannot be claimed that all of them were settlements of Danish freelances. And those which were not must be looked upon as relics of a period when the village community was not a community in villeinage, exceptional political and economic conditions having protected them from that degrading influence to which the rest of the country was subject. Mr. Lipson refers also to the presence even in the thirteenth century of a considerable number of free tenants, all of whom could not have been of Danish or Norman extraction. Were they then holders of new feoffments or only prædial serfs who had improved their status by commuting labour dues for money payments? He offers unhesitatingly a negative answer to such a question, as the services ren-

dered by these tenants were merely a formal acknowledgment of some measure of economic subordination to the landlord and their money payment was too small to be an adequate equivalent for an original liability to week-work.

Thus the fetters which bound the ill-starred descendants of the ceorls were not forged at one stroke, nor were they equally effective in every case. In this connection, the diversity of the manorial organization, which is noticed by Mr. Lipson, is of special significance. At the time of the Survey, there were besides manors occupied by semi-servile tenants who were bound to render labour services on the home-farm, others in which the lord's house was the seat of judicial and political authority, the due exercise of which was paid for by agricultural work by those who were subject to his jurisdiction. Another type was the tributary organization in which the manorial hall formed a convenient place for the collection of dues. And lastly we come across manors, which were 'merely small farms supporting a single household and cultivated in person by the freemen to whom they belonged.' This variety of structure is, as Mr. Lipson justly remarks, a rebellious fact that cannot square with the theory that the open-field system with its indivisible bundles of strips was introduced by the landlords for the effective cultivation of their estates. It is also conclusive evidence of the operation of a number of adverse circumstances whose influence, however, was not equally sinister till the Norman conquerors completed the degradation of the ceorls by assimilating the different classes of manors to the dominant type of a large estate worked by means of semi-servile labour.

These circumstances were mainly economic, though political conditions must have intensified their malignant influence. And Mr. Lipson appears to be on strong ground when he observes that 'the burden of taxation imposed by the Church and State was a powerful factor in the movement that transformed England into a land of manorial communities and servile tillers of the soil.' The Danegeld and the Tithe took away nearly half of what the husbandman earned by his labour, and this was certainly more than what he could conveniently pay even in years of plenty. So he fell as a rule without hope of deliverance into the clutches of his rich neighbour from whom he borrowed the means of payment. For the only consideration that he could offer was a perpetual liability to work for his creditor, land being absolutely valueless without the labour that was required to work it. Then, again, manors like those of the twelfth century were created by rich landowners in outlying districts by settling landless people on the condition that they would work for their masters in return for their holdings. The terms were hard, indeed; but their full significance was probably not appreciated owing to the appearance of other classes whose status was intermediate between freedom and slavery. Lastly the Church, which was in a later epoch the strong champion of the weak and the unfortunate, contributed in this to their ruin by claiming and obtaining exemption from all outside interference on its estates. It thus set an example which was eagerly imitated by others with the result that their tenants were deprived of the protection of the King's laws. For the men who ceased

to plead their causes in the national courts and learned to look for justice to their landlords lost their legal status and fell practically into a rightless condition. Thus as Mr. Lipson observes, "the distinction between those admitted to the King's court, and these excluded from it, became subsequently the decisive test that separated the free from the unfree."

But probably the most conclusive evidence of the fact that villeinage was the outcome of a process of deterioration is afforded by its exceptional character in the Ancient Demesne of the Crown. This Ancient Demesne consisted, as Sir Paul Vinogradoff observes, of the manors which had belonged to the King at the time of the Norman conquest. The peasants who lived on them retained their personal freedom and an indefeasible title to their holdings. And even in the worst days of the Norman rule, no attempt was made to modify the terms of their tenure by increasing or altering the nature of the services that they were expected to render. But they were not, like the free tenants, protected in the enjoyment of their rights by the law of the land. They owed their security to special writs which enforced the custom of the manors in which they lived. Thus seignorial authority was limited by a recognition of their ancient status, which was only too readily ignored where it collided with the interests of private proprietors. For as Sir Paul Vinogradoff points out, it would be wrong to regard the privileged villeins on the Ancient Demesne as a class of free tenants, since the certainty of their condition was not assured to them by the common law courts. At the same time, their number was too large to justify the assumption that they were new settlers who were

protected by their previous history from prædial bondage. Their superior status was, therefore, a case of arrested decline due to the circumstance that the King did not deprive them of the rights which they had once shared with their less fortunate brethren in other parts of the country.

APPENDIX C

FEUDALISM AND THE MANORIAL ECONOMY.

English society was from the very outset divided into a number of classes, all of which but the lowest had their special weregeld or money price. But the highest section differentiated early into the Æthelings or Kinsmen of the prince and the eorls or warriors, while the ordinary freemen came to be designated as ceorls owing to their almost exclusive devotion to agriculture. Quite early also in English history do we come across the significant appellation of hlaford or lord which was given to the eorls or gesithcundmen. The Saxon laws make it clear that they were masters not only of serfs, but also of the lower freemen who as gafolgeldas worked for them besides paying tribute to the King. But if the extensive estates of the warriors and the churches were worked mostly by the lesser freemen who paid their rents in kind or in services or in both, it must be said that the manorial economy, which formed a prominent feature of feudal organization, existed in England before the advent of the Norman.

There was a further approximation of English society to the feudal type wherever the hundred-moots ceased to be under the direct supervision of the aldermen or their deputies. For the administrative and judicial functions which they had exercised came to be vested in the churches or in other great proprietors, thus bringing about the fusion of landownership with gubernatorial powers.

which was a distinctive feature of feudalism. Where such a surrender of authority took place in favour of the clergy, the kings were prompted, of course, by their anxiety to purchase safety for their souls. But elsewhere the determining factor was the weakness of the central government, which compelled it to have recourse to the great landlords for a proper discharge of its judicial and executive duties. And this, according to Sir Paul Vinogradoff, was the real motive that led to the elaboration of the feudal organization. He compares the state of things that obtained in the later Empire with what must have been the situation in the newly acquired territories of the Franks, and observes that the barbarians stood in greater need of the co-operation of the landlords than did the rulers of Rome. Hence 'after the great efforts of conquest and invasion, Western European society relapsed into aristocratically constituted local circles', which owned some sort of allegiance to the central government, but were practically independent in all internal matters.

If this were feudalism, then surely something like it had existed on English soil before the Conquest. The Saxon Witenagemot and the Norman Curia Regis were much alike, and there was very little difference in character and functions between the courts of the English ecclesiastics and halfords and those of the feudal barons. The latter, however, performed their duties as incidents of a private contract with the person from whom they held their fiefs. Thus the obligations of a citizen or of an important official were transformed under the new arrangement into a species of land-rent, and all proprietary right in land was concentrated in the hands of the sovereign.

Feudalism of this type never grew up of itself in the island, but was introduced by the foreigner. The system, in its completed form, had in fact, two aspects, one of which ensured the exploitation of the material resources of the land, while the other supplied the machinery for the discharge of fiscal and administrative functions on behalf of the monarch. The first of these appeared in England without much interference from outside; but the principle underlying the second was not distinctly recognized till the Normans set foot on English soil.

It has been said that Anglo-Norman feudalism attained 'a logical completeness and a uniformity of practice' which were not to be found elsewhere. The reason for this unique development lay in the circumstance that political feudalism had been almost perfected in Normandy before it was imported into England. The Conqueror is sometimes represented as having modified the feudal system with a view to establish his authority on a firm basis. But the principles which he adopted, however repugnant they might have been to the prevalent type, involved no departure from the practice of the duchy. There, too, the supreme judicial authority belonged to the ruler; private warfare, baronial coinage and independent engagements with foreign powers were strictly forbidden, and an oath of allegiance was exacted from all freemen. Thus the concentration of the functions of sovereignty in his own hands was quite in keeping with the best traditions of his native land, though it contrasted with the centrifugal tendency of feudalism elsewhere.

Now the question which is of interest to us is, how this feudal system of a rather unique type affected the

tillers of the soil. And in dealing with it, we have to take into account and to reconcile, if possible, two conflicting views on the nature of the organization, each of which contains important elements of truth. According to one of them, feudalism was confusion roughly systematized, in which exceptions ruled under a mere semblance of order and uniformity. Such government as there was was primitive and undifferentiated, 'the essential operative element' being the holder of the fief, who by virtue of the private contract with his lord was able to manage things in his own way. Hence as head of the court of his vassals which acted as judiciary, legislature and executive council, he exercised a complete control over revenue and administration, and in exercising it respected or ignored local customs just as self-interest or a sense of justice was his guiding principle. It has been held on the other hand that feudalism gave to England a lex terræ, 'not a law for the English and a law for the Normans, but a law of the land.' In about a century of the conquest, the law of the King's court became, as Jenks observes, the law of the realm after swallowing up the local and tribal customs which had been recognized by the English. Thus the foundation was laid of the King's peace and the King's justice which offered equal protection to the high and the low, to the conquered as well as to the dominant race.

All this was rendered possible because the disruptive forces inherent in feudalism were kept under control by the decision of the Conqueror to retain the full powers of a sovereign in his hands. His successors jealously guarded their prerogative against encroachments and appointed a highly organized and trained body of officials to make

regular visitations of the counties and to discharge important judicial, administrative and fiscal functions on their behalf. Thus the best feudal customs had an opportunity of crystallizing into definite and permanent rules under their watchful eye especially as these were embodied in judicial decisions of which an accurate record was kept from year to year. The writs and rolls of the King's court came thenceforth to be regarded as the repository of the common law of the land, the benefit of which might be claimed by all freemen living therein. It took about a couple of centuries to complete the work, but completed it could be only because the Kings had never surrendered the right to dispense justice and lay down the law for the realm.

They could not, however, deny private jurisdiction to their vassals especially with regard to the servile and semi-servile population that existed on their estates. Hence, besides the general disappearance of free villages, there was an assimilation of the different kinds of manors to the dominant type. "The new lords of the administrative or jurisdictional manors consolidated their hold over the population under their control, and by imposing labour services completed the final stages towards manorialism." At the same time some attempt was made to impose certain restraints on their authority. Bracton says that the royal courts did interfere occasionally to prevent or punish wanton injury like the destruction of the villein's plough-team. Gradually, however, this position was given up, and the lawyers justified the surrender of the king's right to supervise and control by applying to the villeins the the principles of the Roman law on slavery. But it was

really the necessary consequence of the business contract between the Crown and its vassals, and it had some measure of support in the traditions of the boc-lands granted to the Church by Saxon monarchs. In any case, however, the refusal of the royal courts to entertain the complaints of a class that formed thirty eight per cent of the total population would seem to warrant the charge that feudalism was 'confusion only roughly organized.'

The degradation of the villeins was completed when their relation to their lords came to be regarded as personal and not merely praedial. Thenceforth every one born of villein parents acquired the hereditary taint and became liable to render any service that might be demanded of him by his master, while proprietary rights of all kinds were in theory at least withheld from him by the application of the legal rule '*quicqid servo acquiritur domino acquiritur*.' His civil disabilities, however, did not exonerate him from the payment of taxes or from the obligation to serve in the militia. Nor did they prevent him from claiming the protection of the king's court in criminal matters or from being regarded as a free agent in his relations with persons other than his lord. And whatever the theory might have been, the circumstance that his payment in labour and in kind was fixed as a rule by custom would seem to show that there was a tacit recognition of his right to what he earned by his labour. He possessed no remedy, it is true, if his labour due was arbitrarily enhanced or he was tallaged out of his savings; but even then his status was 'one of unprotectedness rather than of rightlessness.'

What his position was when undue advantage was not taken of the inability of the central Government to guard his rights is very clearly illustrated by Mr. Lipson with the help of an extract from the Court Rolls of the manor of Brightwaltham at the end of the thirteenth century. "To this court," thus runs the report, "came the whole commonalty of the villeins of Brightwaltham, and of its mere and spontaneous will surrendered to the lord all the right and claim that the said villeins have heretofore claimed by reason of common in the lord's wood called Hemele. . . . . and in return for this surrender the lord of his special grace has remised to them the common that he had in the field called East-field . . . to the intent that the lord shall have no beasts pasturing in the said common." Two things are, as Mr. Lipson observes, clear from this record of exchange, viz., that the villeins of a manor were treated as forming a communitas and that ancient custom which was generally respected permitted them to hold property and to enter into agreements with their lord.

We have seen how economic and political conditions, not the least important of which was the scarcity of labour caused by the Black Death, enabled the villeins to shake off the yoke of their masters. It has been sometimes held that prædial servitude was a thing of the past when the pestilence broke out and that the ill-advised attempt of the landlords to bring it back was responsible for the formidable Peasants' Rebellion of 1381. There is probably not much reason for doubting that the landlords tried in certain parts of the country to meet the new situation caused by the dearth of workingmen by restoring the

old order. But elsewhere the manorial economy was still undisturbed, and the villeins of these districts joined in the revolt with a view to share, if possible, in the good fortune of free labour. They failed in their object; personal servitude remained and labour dues were not commuted as they desired for a fixed rent of 4d. an acre. But the progress which they had sought to accelerate by a political crisis continued owing to the operation of economic forces which had been at work before it. And so though villeinage as a status was not altogether obsolete even in the sixteenth century, yet it practically lost its original character in the fifteenth. In its later form it meant only a liability to be taxed at the will of the lord and not that obligation to render labour services on his estate which had made it the keystone of the manorial economy.

Valuable support was lent to this movement by the crown lawyers of the fifteenth century. They took cognizance of the customary relations of the peasants to their lords, when they were recorded in copies granted by the manorial courts. Thus "in the formula of copy-hold, viz. tenement held at the will of the lord and by the custom of the manor, the first part lost its significance and the second prevailed, in downright contrast with former times, when on the contrary, the second part had no legal validity and the first expressed the view of the courts." There was no doubt, a good deal of vacillation at the outset, and the first cases of interference were treated as manifestations of equity. But what was exceptional once gradually became the rule, and thus disappeared that denial of protection against the master of the estate, which had constituted the legal basis of villeinage.

APPENDIX D

ENCLOSURE

It appears from the Inquisition of 1517-19 and the rentals of the period that land was held in the early years of the sixteenth century by three classes of men, viz., freeholders, copyholders and lease-holders. The free-holders who formed nearly twenty per cent. of the occupiers of land, were some of them men of considerable property, while others were mere cottagers. But in spite of the difference in their economic condition, all of them gained by the fall in the value of money, which cut down the fixed rent paid by them to a nominal charge. The lease-holders were less numerous on the whole, but they were well represented in certain parts of the Midlands and of the West, while in some districts of the South they were twice as many as the freeholders. The most important class, however, in the rural districts was that of customary tenants, among whom must be included not only those who held by copy of court roll but others who without a documentary title to their holdings, could still appeal to the custom of the manor in support of their claims. Together they formed about two-thirds of the total land-holding population, and their preponderance was even more marked in the extreme north and in some other backward districts. Their holdings, however, were no longer cut to a uniform pattern except in the non-industrial portions of the country in which virgates and

semi-virgates or allotments varying only slightly in size from them were still in evidence. Elsewhere some of them were large farmers with a hundred or even two hundred acres under the plough, while others tilled only small curtilages of five or ten acres and were not infrequently tenants of the more fortunate and substantial members of the class. Tillage, moreover, was no more their only occupation, as the more enterprising and resourceful among them had profited by the new situation created by the development of the textile industry and had devoted themselves to sheep farming on a considerable scale.

Some explanation is required of this confusing diversity of economic condition and methods which meets us in the sixteenth century and appears to be so very unlike the stereotyped organization of the feudal age. It has been said that free trade in land and so inequality of possessions were not forbidden under the older economy, because the thing of consequence to the lord was the virgate and not the person who held it. "It was the virgate which paid rents which mowed the lord's meadow and reaped the lord's fields; and so long as his meadow was mowed and his harvest gathered, the question how many individuals held the virgate was a quite subsidiary one for him." But the view which is here expressed represented only within narrow limits the interests and sentiments of the masters up to the middle of the fourteenth century. For the various services that were demanded of the tenants could not be performed unless all of them were properly equipped with the means of subsistence. Economic equality was, therefore, insisted

on, though instances were not rare even in the fourteenth century of the transfer of holdings by sale or by lease or of their partition among heirs. But the situation changed after the Black Death and mainly in consequence of it. The nature of that disintegrating influence has been already described and need not be dwelt upon once more. It is enough for our purpose to observe here that the weaking of the old bonds led to a considerable shifting of property in land. "The customary tenants," says Mr. Tawney, "were buying and leasing land from each other before the Plague; and before the Plague some lords were leasing out their demesnes." But he takes care to add that "after the Plague the death of many holders and the poverty of many survivors caused land to come into the market on a vastly greater scale and at a cheaper rate with the result that the aggregation of holdings proceeded with vastly increased rapidity."

Whatever inducements there still remained for the maintenance of the old order and the old economy disappeared when the Tudors prohibited livery and maintenance and took over administrative functions from the local magnates. Landownership was thus shorn of territorial sovereignty, and the command of money came to be more valuable than the command of men. The change accentuated the tendency to substitute compact holdings for scattered strips encumbered by communal restraints and to replace small men by substantial farmers who could offer a higher rent and a better security for its punctual payment. It also gave an impetus to the practice of leasing the demesne lands, which were either

transferred *en bloc* to large farmers or divided into a number of small tenancies to be taken up by those who could afford to increase their holdings. Thus ample opportunities were given to the more active and pushing spirits of the age of improving their position, and they often strengthened it still further by abandoning agriculture for the more lucrative industry of wool growing. This change in industrial methods and in the area and character of the holdings was not much in evidence in the north and the west; but these outlying districts were not seriously affected by the enclosure movement of the period. Elsewhere there were striking divergences in the size of the possessions of the tenants, so that the village community was no longer composed of men among whom an equality of economic condition was maintained by custom and the authority of the lord.

Pointed reference is made by Mr. Tawney to this appearance of the large copyholder by the side of his smaller neighbours and sometimes even at their expense. It is a fact which must be kept steadily in view in studying the enclosuure movement which certainly did not affect all classes of tenants in the same way. For among them were many whose slender resources and inconsiderable allotments stood in the way of a departure from subsistence farming and so prevented them from profiting by the sustained rise in price-levels. Hence when the landlords tried to indemnify themselves for the depreciation of the currency by demanding an increase of rent, they could not always hold their own against their more successful neighbours, who had only to surrender the unearned increment resulting from a fall in the value of

money in order to meet the augmented demand. Moreover, their difficulties were often accentuated by the uncertainty of their status and the extension of pasture. Some of them were merely cottagers who held a few strips in the open field and depended chiefly on wages for their subsistence. Others were squatters on the waste with no legal title to their tenements, or tenants-at-will on what had been once the lord's demesne and from which they could be evicted without violation of contract. The copyholders, again, were not all of them in the same predicament, for while some of them had a heritable right to their holdings, others were merely tenants for their lives or for a definite number of years. And even of those who possessed an estate of inheritance, the majority were liable to uncertain fines at succession, which, however, had never been prohibitive under mediæval conditions of production and distribution. It was not strange, therefore, that they could not appreciate the forces that swept them out of their accustomed ways and brought about an unequal struggle with men who were more alert and resourceful than themselves, men who could not only tide over an economic crisis but even turn it to the best possible account where it paved the way for a genuine improvement in methods of production. Enclosure and the conversion of arable to pasture as well as the concentration of holdings which followed in their wake affected all classes of landholders in Tudor England; but the effect was dissimilar in th the various cases, for while they were undertaken at the instance of the large farmer, they led to the depression and even expatriation of important classes of the community.

But before pronouncing judgment on the movement, it is desirable to advert to certain facts which are sometimes lost sight of in the dusty atmosphere of controversy. It has been pointed out that even before the landlords decided on a definite plan of consolidating holdings and extending their dimensions, their tenants had occasionally exercised the liberty of building up compact farms by a mutual exchange of intermixed strips in the open field and of 'nibbling away the waste' to meet the needs of a growing population. Thus enclosure was not quite a new thing in Tudor England, nor was it always sporadic in character, as it was discovered by the Commission of 1517 that portions of the common pasture had been appropriated and ploughed up in certain places in accordance with a concerted plan of the villagers to add to their holdings of arable land. The practice, moreover, had spread with the increase of numbers, so that as Mr. Tawney observes, the peasants were more busy than ever in hedging and ditching their own little holdings and in carving out slices for themselves from the waste just when they agitated most bitterly against the highhandedness of the landlords. These would seem, therefore, to have been apt pupils of their own tenants or at any rate not quite innovators. And if they were thorough and unsparing in the application of their lesson, there was some excuse for it in the revolutionary rise in prices, which had injuriously affected their income while it had immensely benefited some of the farmers. Where then was the justification for regarding them as public malefactors who deserved to be prayed against instead of being prayed for? What again, could be the reason for

condemning as a nuisance a movement, which in many instances was the sign, if not the necessary condition, of a genuine improvement in the technique of production?

In answering these questions, it is necessary to bear in mind that the term 'enclosure' has been applied to four distinct processes which did not necessarily involve one another. They were, according to Mr. Lipson, 'the consolidation of scattered strips into compact properties, the conversion of arable into pasture, the concentration of holdings and the occupation of the waste.' Of these, the first was a much needed reform in a period of augmenting demand for food-stuffs, and whatever its disadvantages might have been, they were amply counterbalanced by the increased efficiency of labour on the independent farms. The second, on the other hand, adversely affected the supply of food and the demand for labour at a time when labour had not many avenues of employment, though it brought wealth to important classes of the community and laid the foundation of England's industrial greatness. And much the same could be said of the third where it took place with a view to facilitate sheep farming, while the fourth benefited agriculture as often as it did the rival industry and so did not necessarily entail the displacement of labour while it could not have materially stinted the supply of fuel and of food for domestic animals in the earlier period of which I am speaking.

It follows, therefore, that the consolidation of intermixed strips and the appropriation of fragments of the waste could not have injured the community or any section of it. And for these alone could the responsibility lie in any measure with the peasants. The landlords,

on the other hand, enclosed in the interests of sheep farming because sheep paid better than men; and in their hands the movement attained a thoroughness that disorganised existing arrangements and ruined large numbers of men who could not easily adapt themselves to the altered circumstances. The process of readjustment would have been less painful and unpopular, had the transition been less rapid and more in keeping with the needs and resources of the peasants. But the new conditions were imposed with a high hand from without by the action of the proprietors or their agents who consolidated small holdings into large properties. The economic crisis, which was thus brought about, was heightened by legal issues which gave a distinctly sinister turn to the entire movement. The tenants-at-will on the demesnes were often unceremoniously swept away because they had no legal title to their holdings, though the experience of the preceding centuries had taught them to look forward to undisturbed possession of their plots. Copyholders and lease-holders for definite periods were rack-rented at the expiration of the indentures and where they could not meet the new demand were evicted without compensation, while even those who succeeded to estates of inheritance were sometimes confronted with claims to impossible admission fees, because the amount of the heriot which they could be asked to pay had not been determined by the custom of their manors.

These drastic expedients of the landlords for improving their income must have caused considerable suffering to small men who wanted only to plough the land like their ancestors and were, in fact, unfit by their training

and resources for a sudden and revolutionary change in methods of production. They involved also a notable departure from ancient custom which had assured to all classes of copy-holders a sort of prescriptive right to their holdings, though the law had failed to take cognizance of it. The result was the general substitution of lease-holders for copy-holders in the affected areas. It was, indeed, in a sense the natural outcome of the new commercial relation between masters and peasants which had cut at the root of ancient obligations and loyalties by dissociating landownership from territorial sovereignty and freeing the dependent population from the liability to render effective service on the demesne. And the commercial spirit was exhibited not only by the landlords but also by the more enterprising and alert among the farmers and even by labour where it had an obvious advantage in bargaining. Thus those who had extensive estates saw clearly enough that they had much to gain by adapting themselves to the altered conditions and much to lose by adhering to old and out-of-date principles. Their decision was in the circumstances readily taken, and it gave a rude shock to rural society, as it contained large numbers of men who had made their arrangements on the supposition that the old order would continue and were not yet ripe for the new. Their lot would have been less hard if the landlords had been more considerate. But seldom in the history of mankind have entire classes of men gone beyond the letter of the law to benefit others, or to extend to them that protecting care which under a centralized Government is expected from the ruling authority. The Crown could have alleviated

distress by legalizing the prescriptive title of the copy-holders to their lands. But instead of adopting such a course, which must have given offence to its supporters, it enacted laws against the putting down of ploughs, the destruction of houses and the reduction of employment in rural districts, and supplemented these by pious wishes and exhortations. There were, however, no rational grounds for assuming that people who had been invested with full proprietary rights over the land would administer it in the spirit of trustees.

Opinions differ about the economic importance of the enclosure movement of the sixteenth century. Prof. Gay is inclined to think that it was the necessary consequence of the upward movement of price-levels and culture-levels and an almost indispensable condition of further advance. Hence those who suffered during its progress owed their misfortune to irresistible forces, which they could not always comprehend and much less combat. Mr. Tawney holds, on the other hand, that the concentration of holdings was not a necessary condition of improvement, and that the agony of transition might have been mitigated if economic forces had been left to themselves to weed out the weak and the resourceless. And he cites the examples of Kent and Essex to show how enclosure by common consent and without injustice to any party could take place where it was the obvious interest of the cultivators to enclose. But in those sea-board tracts, commercial forces were earlier and more obtrusively in operation and the peasantry were more enterprising and intelligent than in the inland districts. And it is risky to conjecture how long these might have

remained in a state of organised torpor if the new order had not been imposed on them from outside, while there can be no reason for doubting that the element of time was of supreme importance in the struggle for industrial ascendancy. England had the start in the race because she obtained at the right time a plentiful supply of labour and of raw materials, both of which might have been scarce if mediæval conditions of agriculture had continued to rule over the country. The question, however, remains whether industrial greatness is worth the price that it costs, if it entails the depression of important classes of men that have done nothing to earn their misfortunes. But it cannot be discussed here since it involves the consideration of the relative merits of different economic ideals and so merits a much fuller treatment than a mere side-issue.

At the same time, it must be conceded to Mr. Tawney that the economic transition would have been less abrupt and revolutionary in character inspite of the change in price-levels and culture levels, if custom and tradition had not been brushed aside whenever they appeared formless and out of keeping with the precision and simplicity which were affected by the judges of the King. The old manorial courts had respected them and they had received the powerful support of successive Chancellors. But they failed to acquire substance under the new administration with the result that small holders of land were juggled out of their property and cast adrift by legal tricvs. The change was thus precipitated by new legal issues without which it would not have been catastrophic. England's industrial success might then have been less striking or

rapid, but it would not have caused the impoverishment of large numbers of men, who had nothing but the unwritten law of the land to cling to. Whether it was good on the whole or in the long run for England to ignore this unwritten law may very well be disputed. But there remains the historical truth that the Government of the day disapproved of the methods of the landlords but was unable to check them because they had the law on their side. And it reveals the weakness of the principle of laisser faire which is based on the comfortable, though mistaken, assumption that economic forces operate *in vacuo* when as a matter of fact they operate in a framework of rights and liabilities created by laws and human institutions and capable in certain circumstances of giving them a thoroughly mischievous turn.

An attempt has been made to belittle the amount of suffering caused by the enclosure movement by pointing out that only about half a million acres or less than three per cent. of the entire area were enclosed between the middle of the fifteenth century and the close of the sixteenth. But there is not much reason for assuming that the returns which point to this conclusion were based on an exhaustive survey of the affected areas and an impartial examination of all classes of witnesses. Besides, it is a mistake to gauge the gravity of the situation by comparing the extent of the enclosed land with the total acreage of the country. In the sixteenth century vast areas of forest and waste land encircled the area under the plough, and it is only with reference to the effect of the movement on the latter that the volume of the trouble and disturbance should be estimated. The character also

of the movement and the environment in which it showed itself must be taken into account. It had for its object the enclosure of corn lands for pasture, and it affected chiefly the Midland districts which formed the granary of the country. These, moreover, were the very places where the number of small holders was exceptionally large, while there were very few manufacturing industries which might absorb a surplus population. So those who were forced off the land found themselves in a world which needed their services no longer and had to migrate from it amid real difficulties.

It must be clear from what has been said that the enclosures of the sixteenth century hit the smaller tenants hard, while holders of medium-sized properties throve at their expense. The number and importance of these respectable farmers and free-holders increased subsequently owing to the alienation in small parcels of much of the land that had originally belonged to the monasteries and to the confiscations and compositions that followed the Civil War. And political power gravitated into their hands owing to the decline of the landed aristocracy and the restraints imposed on the power of the sovereign. The two influential land-owing classes were thus brought closer to one another, and their common interest came to be represented as the interest of the nation, especially as after the Revolution of 1688, they were masters not only of the central executive and legislature but also of local administration and justice. Thus the attitude of the Government towards the enclosure movement of the eighteenth century was very different from what it had been in the sixteenth, for while in the earlier period, it

had tried however ineffectually to stand between the rich and the poor and to maintain or establish an equitable distribution of wealth, in the later it was only too eager to sanction enclosure as one of the most effective means of increasing the national wealth and power. So the voice of discontent, loud though it was, was drowned by the iterated and authoritative assertion of experts and of men in power that freedom from communal restraints of all sorts was the one thing needed for ensuring the prosperity of British agriculture.

But there were differences which lay deeper than the change of front on the part of the rulers. The enclosures of the earlier period appear sporadic and insignificant when compared with those of the last two centuries, which affected about twenty per cent. of the total area of England. But in this wider area of disturbance, the waste was largely broken up for purposes of agriculture, which proved highly profitable owing to a rapid increase in population. Thus while in Tudor England enclosures led to a diminution of the arable area, they led to its extension in the days of the first three Georges. And this extension moderated the upward movement of the price of foodstuffs which might have soared higher than it did during the industrial revolution and the war with revolutionary France. It paved the way also for the adoption of scientific culture, which could be undertaken only by men who had some command of capital and so could not be content with the small holdings of peasants. They reaped golden harvests during the years of rising prices and were thus amply rewarded for their enterprise. But equal enterprise and foresight were shown by the landlords in

making at no inconsiderable expense the necessary arrangements for the adoption of improved methods and sometimes in showing the way. And they had their fair share of the gain in the form of enhanced rents. Here then we come across another difference between the two enclosure movements. While the landlords of the sixteenth century did very little beyond enclosing open fields and making over compact holdings to wool-growers, those of the eighteenth improved as well as enclosed and the increase in their rents was thus to a certain extent legitimate profit on their outlay.

The later movement began in a period of declining prices, which led the landlords to improve their income by enclosing the waste. But it gathered strength with the growth of industries and the development of London. And it attained its climax during the war with Napoleon, while it declined when English agriculture fell on evil days owing to the withdrawal of protection and the competition of the wheat lands of America and Russia. By 1876, says Mr. Johnson, the movement was practically at an end, though communal rules remained in force in certain counties. The change in public opinion which was in some measure responsible for the abatement was due partly to the belief that small holders might have held their own against foreign competition where capitalists failed. It was also influenced by the experience that the growing industrialization of the country and the disappearance of open spaces were injuriously affecting the physique and morale of the people. Thus between 1876 and 1889, 'there were only 73 applications for enclosure, and of these two-thirds were rejected.' And in 1893 it

was enacted that no proprietor was to approve the waste and no waste was to be enclosed without the sanction of the Board of Agriculture. Since than there has been some improvement in the number as well as in the condition of the small holders.

The yeomen, it has been said, were hit hard by the enclosure of the waste. But there remains the fact that their number increased instead of declining in the last quarter of the eighteenth century which witnessed the culmination of the movement. It must, however, be admitted that where the waste was enclosed, they could not easily obtain their firing and a suitable place for grazing their cattle while they cultivated their holdings. But the greatest sufferers were the agricultural labourers, who seldom received adequate compensation for the loss of their rights legal or prescriptive over the waste and in the open fields. They suffered also in their character of consumers when with the extension of capitalist farming, the business of retailing articles of food was taken over by middlemen who bought their stock in the rising markets of the towns and brought it back to the country districts for sale. The retailer's profits and an unnecessary cost of transport both ways were thus added for them to the price of the commodities which their labour had produced. At the same time all auxiliary resources were taken from them by the enclosure of wastes and the disappearance of domestic industries. The situation, therefore, must have appeared eminently unsatisfactory to them. Nathaniel Kent calculated that the rise in wages in the latter half of the eighteenth century was only twenty five per cent. as against a rise of sixty per

cent. in the price of provisions. "Thus the labourer who lived on wages alone at its close earned wages of a lower purchasing power than the wages which he had formerly supplemented by his produce."

The enclosures, therefore, even of the later period were not the unalloyed blessing that they were represented to be. Indeed, both small owners and labourers suffered more or less in consequence of them, as they could not fail to do, so long as private bills were largely employed to get rid of communal restraints. Up to 1774 'the original petition for enclosure was often the act of a big landowner whose sole signature was enough to set an enclosing process in train,' and in the majority of cases he must have placed his own interest before that of his poorer neighbours wherever they seemed to conflict. When, again, the law interfered in their favour by stipulating that the holders of four-fifths of the land must agree to the proposed arrangement, the protection proved illusory, as the owners of the remaining one-fifth sometimes outnumbered them. Besides, as Mr. Johnson observes, the copyholders and lease-holders were often prevented from going against the wishes of the landlord even when they felt that he was prepared to sacrifice them for his own gain. Still all of them received a share of the enclosed waste, and where the strips in the open field were redistributed and they could meet the expense of enclosure, they profited by the compactness of their new holdings. Quite different, however, was the treatment accorded to cottagers who had no recognized rights on the waste where they lived, for, as Prof. Gonner points out, ultra-legal claims were seldom allowed. And

their fate was shared by the old village officials, 'who lost their employment and with it the plots of land they had held in payment of their services.' Besides, even when greater consideration came to be shown to them, the bit of waste that was reserved for their joint use or partitioned among them proved generally so small as to be practically valueless except where they decided to part with it for money.

But were these evils counter-balanced in any measure by the superior productivity of an individualistic treatment of the enclosed areas? Some writers are of opinion that it caused loss of employment and depopulation in rural districts and ultimately prevented English agriculture from holding its own against foreign competition by the encouragement which it gave to farming on a large scale. The question has been already discussed, and it is enough for my purpose to quote here the testimony of two thoughtful writers on the subject. According to Prof. Gonner, there is no evidence that the enclosures of the eighteenth century caused depopulation or checked the rate of increase over extensive tracts, though it is easy to point to particular townships which suffered on account of them. Indeed, it would have been strange in his opinion if they had produced such results, as they must have created additional work after the fencing in of the fields and the introduction of the Norfolk rotation. And he is convinced that they added to the productiveness of labour by permitting the use of every bit of land for the purpose for which it was best fitted and by putting an end to that constant bickering and litigation which had

proved detrimental to agriculture since the abolition of the manorial economy.

Those who entertain a high opinion of the staying power of peasant proprietors ignore the fact that they have flourished in circumstances, which are more or less exceptional in Western Europe at the present day. In Belgium and France, for instance, they are chiefly found where market-gardening is profitable or where side industries enable them to supplement their earnings from agriculture. They are, on the other hand, much less numerous in those districts which are mainly devoted to the cultivation of cereals. And such is, according to Mr. Johnson the experience of England also, since even to-day the small farmers thrive in the neighbourhood of large towns or where subsidiary industries enable them or their dependants to eke out a livelihood.

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